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This report examines the status of school desegregation efforts in Southern and Border States immediately before and after the May 1968 U.S. Supreme Court's ruling that school districts must abandon ineffective freedom-of-choice plans. Separate sections devoted to events in each state contain specific detail describing the political, legislative, and judicial response to desegregation requirements and the reaction of the press, of the universities, and of other groups in the community. (EF)

SCHOOL DESEGREGATION
IN THE SOUTHERN AND BORDER STATES

MAY, 1968

Compiled by
Southern Education Reporting Service

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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THE REGION

The U.S. Supreme Court's ruling in May on freedom-of-choice plans is expected to have a considerable effect on the large numbers of Southern school districts using this method of desegregation. The court ruled on May 27 that although free-choice plans are not unconstitutional, school systems that had dual systems must act affirmatively to convert to a unitary system. This means that if the plan does not work, another method must be used.

The ruling, which concerned three school districts, New Kent County, Va., Gould, Ark., and Jackson, Tenn., came as no surprise to many Southern schoolmen, since the federal guidelines have made similar requirements for compliance. Harry R. Elmore, deputy state superintendent of public instruction, estimated that up to 90 per cent of Virginia's school systems operate under freedom of choice. At least 41 Tennessee school systems were reported as expecting to speed up desegregation because of the ruling.

Alabama's largest school system, Mobile County, had its freedom-of-choice plan thrown out earlier this year by the U.S. Fifth Circuit Court of Appeals. That situation plus the Supreme Court's new ruling in these other cases has brought protests and pessimistic predictions in the state. The Mobile County school board--covering the district's three cities of Mobile, Prichard and Chickasaw--has approved a rezoning plan that would place approximately 2,500 Negro students in formerly white schools, and 1,400 whites in predominantly Negro schools.

The board held the meeting, at which the plan was announced, in the Municipal Theater. Some 1,000 spectators attended and many booed and hooted the board's decision. When Jerry Pogue, director of the Neighborhood Organized Workers (NOW), took the stage to call for a school board that was at least 40 per cent Negro, several police officers had to be called to the stage to help maintain order. About a fourth of the predominantly white crowd walked out of the theater.

Parents of 20 white school children filed a motion in U.S. District Court to intervene in the suit and appeal the appellate court ruling. The parents contend that it would be unsafe for their children to attend previously all-Negro schools, because the relationship between white and Negro in the county "has deteriorated to such an extent that there now exists a clear and present danger to peace and tranquility."

The Region-2
May, 1968

Also during May, more than 10,000 whites attended a protest meeting in Mobile's National Guard Armory to map plans for resisting the court-ordered plan. A new organization was formed under the name of Stand Together and Never Divide (STAND). The Mobile County school board, answering what was reported to be "thousands" of protests to its rezoning plan, said it could do nothing but obey court orders and submit the plan for approval.

Gov. Albert Brewer, commenting on both rulings against freedom of choice, said: "Because of this innovation of judicial decree, the courts are now declaring that a person in this republic no longer can exercise a choice. Logically extended, this rule can be applied to determine where a person lives and where and how he can make a living."

A Negro attorney in Alabama, Fred Gray, said of the Supreme Court's ruling: "Our position has been all along that freedom of choice would not eliminate dual school systems....We will carefully review all cases in which we are involved to determine if there is sufficient desegregation."

The free-choice ruling of the Supreme Court could have considerable effect in Florida, since 62 of the state's 67 school systems use some form of the plan. Only five counties have been classified as fully desegregated. Many principals were unsure what meaning the ruling would have for their districts, but some of the Florida districts began talking of shifting to zoning plans to achieve desegregation increases. The state school superintendent, Floyd Christian, observed, "Over the years, the freedom-of-choice plan has made it possible for Florida to move in an orderly and effective manner toward full integration of schools, and Florida has made meaningful and significant progress toward that end."

Although the court's ruling was not expected to have any significant effect on Georgia districts, Gov. Lester Maddox was so incensed that he ordered all flags on state-owned property to be flown at half-mast. State School Supt. Jack P. Nix said that no systems are relying solely on the choice method, noting that the wording of the decision was almost identical to the HEW guidelines already in effect.

"We will encounter certain problems with desegregation in some of our systems regardless of whether the method used is freedom of choice or one in which administrators assign pupils to schools," he said.

The Region-3
May, 1968

Few South Carolina schoolmen were surprised by the ruling, according to reports. State Supt. of Education Cyril B. Busbee said, "The decision in effect gives judicial support to the guidelines previously established by the U.S. Office of Education."

In North Carolina, Dr. Charles F. Carroll, the state superintendent, said pupils in the 169 school systems will continue to be subject to freedom of choice as long as that freedom "is administered freely, generously and without fear of intimidation." Carroll said the decision would affect N.C. systems only if they did not show good faith in the use of choice plans. "The court's decision has not ruled out freedom of choice--if it works," he commented.

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ALABAMA HIGHLIGHTS

The Mobile City-County School board adopted a new school zoning plan, in compliance with federal court orders, which would have the immediate effect of transferring 2,500 Negro students to predominantly white schools and 1,400 white students to predominantly Negro schools.

A group of white parents filed suit to intervene on the grounds that the transfer of white students to Negro schools would endanger the lives of the white students.

A protest rally following the school board's action attracted more than 10,000 angry parents; an organized resistance group was formed.

The situation in Mobile, coupled with the U.S. Supreme Court's ruling May 27 casting doubt on the future of freedom-of-choice plans, brought protests and gloomy predictions from Gov. Albert Brewer.

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Alabama-1
May, 1968

ALABAMA

Schoolmen

The Mobile County School Board approved May 20 a rezoning plan demanded by the U.S. Fifth Circuit Court of Appeals March 12 as a way of accelerating desegregation in the state's largest school system. Under the plan adopted by the board, which is subject to court review, approximately 2,500 Negro students would attend formerly white schools and 1,400 white students would be transferred to predominantly Negro schools.

To accommodate some 1,000 spectators, many of whom hooted and booed the decision, the board held the meeting at which the plan was announced in the Mobile Municipal Theater. The board explained it had no choice but comply. The altered school zone lines would overlap many predominantly Negro and white residential areas in the three cities initially affected by the circuit court's order-- Mobile, Prichard and Chickasaw.

District Judge Daniel H. Thomas, who was to review the plan May 27, postponed the hearing without setting a date after federal attorneys asked for a delay to get additional information from the school board.

The appellate court had said March 12 that desegregation was not proceeding fast enough in the state's largest system (with 93 schools and about 75,000 pupils) and that only 2,008 Negroes out of more than 31,000 in the system are receiving desegregated education. It found that freedom of choice had not worked "toward the ultimate goal of a unitary system wherein schools are no longer recognizable as Negro or white."

In directing the Mobile district court to require a lengthy plan for faster desegregation through rezoning, faculty transfers, etc., the court said "each student in the urban areas must attend the school serving his attendance zone (in the absence of) some compelling non-racial reason for transfer." (For details of that order, see report for March, "Legal Action.")

The predominantly white crowd that attended the Mobile board's May 20 meeting was angry. The meeting was marked by frequent outbursts. When Jerry Pogue, Director of the Neighborhood Organized Workers (NOW), took to the stage to address the crowd, about a fourth of those present walked out. He called for a school board at least 40 per cent Negro and said that courses in "black culture and black determination" should be taught in the school system. Several police officers were called to the stage to help maintain order as he spoke.

Alabama-2
May, 1968

White parents claimed that crime and lawlessness in the area where some 500 whites would attend a Negro school made the transfers dangerous. Mrs. Jacqueline Jacobs, a Negro, conceded that crime was rampant at Williamson but that her own children had been forced to attend the school for years. White children are no better than Negroes, she said.

Rev. Leon Hill, pastor of Our Mother of Mercy Catholic Church, spoke as a representative of the Plateau-Magazine Point Community Council in urging whites to accept total desegregation forthwith. "If we're going to cut off the dog's tail," he said, "let's do it all at once."

He was loudly jeered and booed. Someone in the audience shouted: "How many children do you have, Father?" A white man accused Father Hill of having defied the law when he led a civil rights march in Mobile. Some of the comments by protesting parents included these: "We will not surrender our children to the whims of a few" and that the price of desegregation is "too great and the burden is too heavy."

Out of the protesting parents grew a resistance movement which attracted a crowd of 10,000. (See Community Action.) Also, a suit was filed protesting that the mass transfers were dangerous. (See Legal Action.)

Harassed school board members, who were asked by some whites to risk going to jail, explained that they would be willing to if it would accomplish anything. But the result would be, board members said, that some "outside experts" would be used to implement the court orders.

No busing is involved in the board's rezoning plan, it was explained. The mass hostility was believed to be the greatest yet directed at a specific school desegregation plan in the state.

When the board filed the proposed plans with the district court May 7, board President Arthur F. Smith Jr. said of the necessity to transfer large numbers of students to comply with the appellate court's order:

"The board sincerely regrets the inconveniences which the reorganization of attendance areas will bring to many students and parents.

"The board has used every legal means available to it to keep our schools controlled by the local board of education.

Alabama-3
May, 1968

"We deplore that a court decree would be handed down placing on the school staff the terrible burden of completely reorganizing the school system in such a short time."

The board had been given until June 1 to provide its rezoning plan. It requested that the district court permit next year's high school seniors to remain in the schools they are now attending should the rezoning require them to change schools in their last year. No action on that request was taken in May.

The board was compelled to conform to these words in the March 12 decision by the Fifth Circuit:

"We insist on a new effort to draw zone lines on a non-racial basis... A conscious effort should be made to move boundary lines and change feeder patterns which tend to preserve segregation.

"In the future, any boundary lines which simply encircle Negro residences without being explainable in terms other than race will be constitutionally suspect. To go a step farther, we hold that once attendance zones have been properly designated, the student's option to attend the nearest formerly white or formerly Negro school outside his zone must be eliminated."

Speaking of the protesting parents at the hearing and of the movement to prevent the rezoning plan (Community Action), Board President Smith said: "We are wholly sympathetic with those who are protesting. But just about everything we do now is under court order. And we aren't the court."

Many white parents, according to the Mobile newspapers, have said flatly they will not send their children to formerly Negro schools.

* * *

Legal Action

Parents of 20 white school children went into the U.S. District Court in Mobile May 29 to appeal for a ruling that it would be unsafe for their children to attend previously all-Negro schools to which they had been assigned under the system's new rezoning plan. State Sen. Pierre Pelham filed the motion to intervene as defendants in the suit under which the Mobile County School Board was ordered to rezone for greater desegregation.

Alabama-4
May, 1968

The attendance zone the board adopted would replace an area-option plan under which pupils previously could attend schools of their choice within a specified area. The board was ordered to rezone by a U.S. Fifth Circuit Court of Appeals decision March 12. Under the plan adopted by the board, each pupil must attend the school serving his zone, whether formerly white or formerly Negro.

Pelham said the suit would affect only the 20 students, who filed the petition through their parents, but that he intended to file an amendment later to make the litigation apply in cases of all white students forced to transfer to Negro schools.

The suit asked District Judge Daniel H. Thomas to reject the board's proposed zone plan. It also asked the court to require the board to submit a plan based on freedom of choice. The suit stated "that the conditions in formerly all-Negro schools in Mobile County are so unstable and hazardous that it would be unsafe for them to attend such schools."

The suit also alleged that Negro neighborhoods, through which white children must pass in walking to and from schools, are "unsafe" and would "further contribute to the peril" of the students. Under the Constitution, the suit said, particularly under the Ninth Amendment, students have the right "to go to and from public schools which they attend without fear for their safety or welfare." Parents, too, have a right to "be free from fear for their safety."

These rights, Pelham said in his petition, "are as basic and fundamental as the rights asserted by the Negroes seeking school integration." He reviewed in detail race riots, mob violence and civil disorders throughout the United States over the past several years:

"This pattern of racial conflict...has now extended to Mobile County," where the relationship between white and Negro "has deteriorated to such an extent that there now exists a clear and present danger to peace and tranquility."

The petition cited curfews imposed in Mobile and nearby cities between April 6 and April 12 to curb vandalism and disorder following the assassination of Dr. Martin Luther King Jr.

* * *

Alabama-5
May, 1968

A three-judge federal panel heard testimony in Montgomery in early May in a suit brought by the Alabama State Teachers Association in an effort to stop Auburn University from building an extension center in Montgomery. ASTA, predominantly Negro, contends that the city already has a state-supported four-year college in predominantly Negro Alabama State College. Any money available should be allocated to it. Building a center, the plaintiffs contend, is an effort to perpetuate segregation--despite Auburn officials' statement that the center would be open to all.

Dr. Levi Watkins, president of Alabama State, testified May 2 that his college with adequate financing, could provide what is envisioned for the \$5 million Auburn branch in Montgomery.

Dr. Ernest Stone, state superintendent of education, said the programs of the Auburn center and Alabama State would not be the same because Alabama State provides mainly teacher education and is not basically a liberal arts college, as the center would be.

Holman Head, Montgomery Chamber of Commerce Education Committee chairman, said Alabama State was not considered for use in the expansion program because it was felt the college "didn't meet the needs."

Dr. Harry M. Philpott, Auburn University president, said Alabama State was not mentioned when he discussed with Dr. Frank Rose, University of Alabama president, the transfer of Alabama's present center in Montgomery to Auburn and the expansion to a four-year college.

All of these three witnesses said there had been no specific study of educational needs in Montgomery County before the passage of the act establishing and funding the Auburn center. Dr. Watkins said that his college, with additional money, could provide all the undergraduate courses mentioned in a brochure on the new center: liberal arts, business and teaching, and adult education. He said Alabama State could also provide graduate programs, particularly in political science and business.

Efforts to desegregate Alabama State, Dr. Watkins testified, have been primarily in teacher recruitment. Of 86 teachers, he said two are Caucasians, three are Filipinos, three Indian and one Chinese. He said there was one white student in the college, an adult from Montgomery.

Alabama-6
May, 1968

Joe. L. Reed, executive secretary of the Alabama State Teachers Association, testified that he had talked with State Sen. O. J. Goodwyn of Montgomery before the legislature acted on the Auburn center and asked Goodwyn not to push the bills. He said Goodwyn told him he had made commitments to white students from Montgomery who are currently attending schools in nearby counties.

The federal panel called for written briefs by May 13 but there was no indication of when a decision would be forthcoming. In addition to requesting an injunction stopping the center, the plaintiffs asked the court to order that any new state institutions of higher learning in Montgomery be made part of Alabama State.

* * *

The Autauga County school board filed suit in federal court to get permission to reconstruct classrooms at Autauga County Training School in Autaugaville. The justice department objected, contending that the construction would serve to perpetuate segregation. The Autaugaville school is predominantly Negro.

The county system is one of the 99 in the state under a statewide desegregation order. All new construction must be approved by the three-judge court in Montgomery, which ordered the systems desegregated in March, 1967. The court made the state superintendent directly responsible for construction plans, but ultimately the court has the power to decide.

According to the justice department's motion objecting to the construction, the state superintendent notified the school that the construction would violate the court order. The justice department said the training school, with 1,110 students is located only one mile from Hicks Memorial School, predominantly white, with only 267 students.

Even if Hicks were filled to capacity, the government said, the enrollment would not meet the minimum of 525 recommended by the State Department of Education. Despite this, the justice department said, the Autauga board had not proposed to expand Hicks.

Educational opportunities at both schools, the federal motion said, are inferior to those of other schools in the county. U.S. District Judge Frank M. Johnson Jr. set a hearing for June 17 on the question.

* * *

Alabama-7
May, 1968

Community Action

On May 24, more than 10,000 whites attended a protest meeting in Mobile's National Guard Armory to map plans for resisting a court-ordered rezoning plan designed to send hundreds of Negro students to predominantly white schools and white students to formerly Negro schools. A newly formed organization called Stand Together And Never Divide (STAND) planned a rally June 7. STAND's president, Lamar Payne, said he was campaigning for a turnout of 20,000.

State Sen. Pierre Pelham was loudly cheered when he told the crowd he would file a petition asking the federal court to declare it dangerous to send white children into Negro districts and schools. The Mobile County school board, answering what was reported to be "thousands" of protests to its rezoning plan, said it could do nothing but obey court orders. Hundreds of Mobile citizens, it was also reported, wrote their senators and congressmen complaining of the court ordered rezoning.

At the May 24 rally, Sen. Pelham said the desegregation order would subject Mobile white students to "inhuman" and "criminal" conditions. Of one Negro school in Prichard, Pelham told the crowd: "I wouldn't care who told me to send my children there (to Blount High School); I wouldn't send them."

Pelham said police records showed there had been more than 50 investigations of crimes at Blount in January, 1967: "Now who wants to send his young'uns into that kind of mess?"

Mobile has had very little racial friction over the years, but tempers were reported high following the rezoning plan.

* * *

What They Say

Gov. Albert Brewer, who as Lieutenant Governor succeeded to the office on the death of Gov. Lurleen Wallace May 7, expressed "great concern" over the rezoning desegregation plan in Mobile. In a press conference May 22, he predicted it could do "irrevocable harm" to the public school system. The Mobile forced desegregation plan, he said, "endangers the peace and tranquility of a county that has enjoyed excellent race relations." However, he said he knew of nothing he could do and had no plans to intervene. He would abide by court orders, he said.

Alabama-8
May, 1968

Brewer called the decision "inconceivable" in that it replaced with "arbitrary" school zones a "democratic plan of freedom of choice." He expressed the fear that it threatens to undermine support of public education in Alabama "at a time when support of our public schools is never more vital." On May 31, following the May 27 U.S. Supreme Court decision that beclouded the future of freedom-of-choice plans, Brewer said:

"We have seen a gradual and persistent takeover of our schools by the central government. Our people, of all races, have been frustrated by the interference into the affairs of local boards of education." Although Alabamians might not have liked freedom of choice, he said, they "had learned to at least live with this method of running the school systems."

"Except for a very small but vocal and suit-conscious minority, the parents of this state, in my judgment, were satisfied with the operation of the freedom-of-choice plan.

"Because of this innovation of judicial decree, the courts are now declaring that a person in this republic no longer can exercise a choice. Logically extended, this rule can be applied to determine where a person lives and where and how he can make a living."

(Brewer was referring both to the Mobile situation in his remarks and the Supreme Court ruling. He said the Mobile board had been denied its autonomy by the Court.)

In another comment (May 29), Brewer said freedom of choice, for both whites and Negroes, "does not address itself to the court." He continued, "It is not a legal question but a social question."

At month's end, he said the step he is taking to fight federal intervention is to "work harder to elect George C. Wallace president of the United States."

Fred Gray, Negro attorney who handled the case (Lee v. Macon), which led to statewide desegregation of Alabama schools in March, 1967, said of the Supreme Court's May 27 ruling:

"Our position has been all along that freedom of choice would not eliminate dual school systems....

"We will carefully review all cases in which we are involved to determine if there is sufficient desegregation. In my opinion, in most of the cases we will be going back into court and asking them to change the plan so we can do away with the dual system."

Alabama-9
May, 1968

Two run-off candidates for the Democratic nomination for the seat being vacated by Senator Lister Hill denounced the Supreme Court ruling.

James B. Allen, a former lieutenant governor who led the field in the first primary May 7, said: "The court's jurisdiction and review powers must be restricted. We must change our system at the federal level and elect federal judges in districts, thus making them responsive to the wishes of the people rather than to bureaucrats and high-ranking officials in Washington."

His opponent, Congressman Armistead Selden, said: "This judicial trend can be reversed either by the passage of legislation to make the federal judiciary more responsive to the people--and I strongly support such legislation--or the election of a president who will appoint judges dedicated to fundamental American constitutional philosophy."

Although Alabama was not directly involved in the latest Supreme Court legislation, all of the state's 118 systems are under federal court desegregation orders--99 of them under a single order.

* * *

Under Survey

The U.S. Commission on Civil Rights, meeting in Montgomery in late April and early May, said May 1 that some Alabama schools are failing to provide rural Negroes with the skills and training they need to get the jobs when employers want to hire them. Industry spokesmen who testified in the four days of hearings said repeatedly that one of the problems in complying with nondiscrimination provisions of the 1964 Civil Rights Act is the difficulty in finding qualified Negroes.

A report by the commission's staff, which was read into the record, said the quality of education in Alabama's Black Belt is "very poor" and county support for public schools is "woefully inadequate."

The commission's staff director, William L. Taylor, commented at one point that some schools "not only are failing to comply with the (1954) Supreme Court decision, but they aren't even complying with Plessy v. Ferguson."

One commission member, Editor Eugene Patterson of the Atlanta Constitution, summed up the commission's attitude: "Employers say they can't find qualified Negroes. Now we come down to the schools and find they're not even separate but equal. At what point do we start providing these skills?"

Alabama-10
May, 1968

Patterson said he was beginning to feel that "none of us realize the problems of a Negro parent who sees his child grow up...not getting the same vocational training as the white child across town, and knowing what the employer is going to tell him."

State School Supt. Ernest Stone told the commission that Alabama is making progress and its goal is to see that "every child is given a salable skill." Stone said that many Negroes attending inferior schools could go to predominantly white schools if they chose. However, some Negroes who testified earlier had told the commission that the fear of economic reprisals kept some from doing that.

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ARKANSAS HIGHLIGHTS

HEW reported from Washington that 16.8 per cent of the Negro children in Arkansas schools attended desegregated schools during 1967-68, based on a survey of 144 of the 222 biracial school districts.

The Fordyce, Blytheville, Wynne and Hermitage school boards were informed by HEW that their freedom-of-choice plans were not satisfactory.

HEW inspected the Pulaski County (rural) School District and made a series of specific suggestions to the school board about changing the uses of the schools, mostly that small or unaccredited Negro schools be closed.

The North Little Rock School Board notified HEW that it would use freedom of choice one more year, pending the completion of two new school buildings.

The Jonesboro School Board changed the boundaries of four elementary school attendance zones in order to achieve better racial balance in the enrollments of the four schools.

The U.S. Supreme Court ordered an end to the use of the freedom-of-choice plan by the Gould School District and also ordered the lower court to hear the plaintiffs on the use to be made of a new building on the grounds of the Gould Negro school.

Both student and faculty groups at the University of Arkansas at Fayetteville called on the university administration to take steps to wipe out discrimination on the campus.

The State Training School Board adopted a plan for the reception and classification of juveniles by which they will be assigned to a school. The board also decided to close the school for Negro girls during the summer, transferring them to the white girls schools.

In his call for a special legislative session, Gov. Winthrop Rockefeller surprisingly listed an item for the appropriation of about \$40,000 to be used to reimburse school boards for legal expenses in desegregation lawsuits, but the bill received a chill reception among the legislators and was defeated in the House.

ARKANSAS

Schoolmen

The percentage of Negro children enrolled in desegregated schools in Arkansas in 1967-68 was 16.8 per cent, HEW reported May 28. This is based on a survey of 144 of the 222 biracial school districts. In those 144, the number of Negro children in desegregated schools was 17,746 (compared to about 19,500 for all districts the year before and 6,807 for all districts in 1965-66).

The HEW survey found that in 10 Arkansas districts operating under court-ordered desegregation, the Negro enrollment percentage was 17.2 per cent (3,516 out 20,426 enrolled).

The state has nine school districts that have been held not in compliance with the Civil Rights Act of 1964 and from which federal funds are being withheld; They are Bright Star in Miller County; Collins in Drew County; Elaine in Phillips County; Hazen in Prairie County; Junction City, Lawson, Strong and Urbana, all in Union County; and Stamps in Lafayette County. Proceedings leading to noncompliance orders have been initiated against two more districts, Village in Columbia County and the Union County District.

The State Department of Education announced May 10 that \$301,524 that had been withheld from the nine districts not in compliance had been reallocated to 30 other districts, most of which will use it to improve their summer programs. W. H. Moore, associate education commissioner for federal programs, said that Fordyce had been removed from the noncompliance list on April 11 and had reclaimed \$68,278 that had been withheld from it.

* * *

Reports from school districts:

Fordyce, Dallas County--At a special PTA meeting April 30, the school board announced that HEW had found its freedom-of-choice plan unacceptable and described its intentions for changing it beginning next fall. W. R. Benton Jr., board president, said that HEW had received a complaint earlier in the year that discrimination still existed in the Fordyce system and that the investigation which followed led to the ruling on the freedom-of-choice plan.

Arkansas-2
May, 1968

Beginning in September, Benton said, the first and seventh grades of the J. E. Wallace School for Negroes will be closed and those two grades will be fully desegregated in the white school. In 1969, full desegregation will extend to the second and eighth grades. Freedom of choice will be used in other grades. The details of the plan beyond 1969-70 were not given. Benton said that this plan had been accepted by HEW.

Supt. Jack H. Gresham said that nine teachers would teach next year in classes where their race would be in the minority. He did not give the breakdown of white and Negro teachers. He also said that the board hoped to have a new high school building ready by September, 1970, and that all students in grades 9-12 would attend there. The new building, which is subject to approval by the voters in March, 1969, is not a part of the new desegregation plan.

Gresham also said that a summer enrichment program, for grades 1-7, financed by federal aid, would have five white and five Negro teachers. Gresham said that the new desegregation plan was devised by the board working with an HEW team and a representative of the state Education Department. The Fordyce News-Advocate said that the PTA meeting was attended by "a sizeable crowd, including about 25 Negroes." The Fordyce enrollment is about 815 white and 722 Negro.

Blytheville, Mississippi County--After a two-day inspection by five HEW men, Waite Madison of HEW informed the school board June 6 that its freedom-of-choice plan was not acceptable. He said that the freedom-of-choice plan had not eliminated the Negro identity of four Negro schools and that the investigators had found "grossly inferior" conditions in the four Negro schools. The Blytheville enrollment is about 3,500 white and 2,500 Negro.

Wynne, Cross County--C. D. Landolt and a team of HEW men spent Tuesday, June 4 looking over the Wynne system, then informed the school board that its freedom-of-choice plan was not working well enough to be in compliance with the Civil Rights Act of 1964. He said that full desegregation should be achieved by 1969 and that a substantial start toward it should be made in the fall of 1968. Seventy-nine Negro students had attended desegregated schools in 1967-68 and about the same number had chosen white schools for 1968-69. The Wynne enrollment is about 1,900 white and 950 Negro.

North Little Rock, Pulaski County--The school board has written a three-paragraph statement about its desegregation intentions, in response to notice from HEW in April that its freedom-of-choice plan was not productive enough. The HEW people at the same time urged the board to make a plan that would close the all-Negro Jones High School; the new plan does not promise that. North Little Rock has Jones High and the predominantly white North Little Rock High and is planning a new high school in the Lakewood section of town. The statement says, "the completion of the new junior-senior high school complex will allow the eventual phasing out of the senior high school section of Jones High School" (an earlier version of the sentence had said that Jones would be closed). For 1968-69 the board intends to continue with freedom of choice but step up its faculty desegregation. In 1969-70, the statement says, it will switch partly to attendance zones with the completion of a new junior high school in the Rose City section. All students from elementary schools in that part of town, including Roosevelt and Woodson, two Negro elementary schools, will attend the new junior high.

Pulaski County (rural) School District--HEW officials met with the school board May 7 and said that it would have to remove the final "vestiges of a dual school system" by September, 1969. The team, headed by Waite Madison, made numerous specific suggestions, but left it to the board to decide how to proceed. The county district gets more than a million dollars in federal aid each year, mainly because the Little Rock Air Force Base is within the district, and has been using the freedom-of-choice plan for the last three years. In 1967-68, 1,918 Negro children attended desegregated schools. The enrollment is about 19,000 white and 5,000 Negro. The HEW men suggested:

* That Nelson Elementary School, all Negro, enrollment 183, be closed. It is in a rural area in the east end of the county. The building is more than 40 years old.

* That J. C. Cook Elementary School, all Negro, at Wrightsville in the south end of the county, be zoned so that all elementary age children in the area would attend it. White children in that area now go south to Hensley or north to Fuller Elementary.

* That Viola Harris Junior and Senior High School, all Negro, at McAlmont, be closed. The location is a Negro settlement halfway between North Little Rock and Jacksonville. The high school is unaccredited. The buildings are less than 10 years old.

Arkansas-4
May, 1968

* That Sweet Home High School, all Negro, be converted into a junior high serving the nearby Fuller High School, predominantly white. Sweet Home is a village just south of Little Rock. The school is not accredited.

* That Pankey Elementary School, all Negro, enrollment 80, be closed. The building is seven years old. Pankey is a Negro settlement on state Highway 10 just outside the northwest city limits of Little Rock. Little Rock's most affluent residents keep building homes to the northwest and they are now within a few hundred yards of Pankey.

* That Shaw Elementary School, all Negro, enrollment 104, be paired with Oak Grove Elementary, predominantly white, one school taking all children in the first three grades and the other those in grades 4-6. Both buildings are less than eight years old, but Shaw is "undercrowded." They are located in rural territory to the northwest of North Little Rock.

The board members asked lots of questions but did not indicate what they would do. The district has 42 schools, 24 of them desegregated, nine all-Negro and the rest all-white. The HEW men said that they had not been able to figure what to do about two Negro elementary schools, Harris Elementary, at the same location as Harris Junior and Senior High, and College Station Elementary, located in a mostly Negro slum on the southeast corner of Little Rock.

Hermitage, Bradley County--Supt. W. W. Robertson called in nine of the 10 Negro teachers at the all-Negro West Side School, one by one, Tuesday, May 7, and informed them that their contracts would not be renewed for next year. This was revealed by York W. Williams Jr. of Dermott, Negro president-elect of the Arkansas (Negro) Teachers Association. A member of the school board, Earnest Williams, said that the board had decided to notify the Negro teachers because HEW had not responded to the district's proposal to continue using the freedom-of-choice plan and that the board was afraid that HEW would order the district to abolish its dual system. It has only two schools--Hermitage, predominantly white, and West Side, all Negro--and if they were combined, fewer teachers would be needed, he said. A week later the board received word from HEW that freedom of choice was not acceptable for all 12 grades and the board decided to close the top six grades at West Side School and combine them with the Hermitage School. It also then rehired six of the nine Negro teachers. Supt. Robertson said that the three dismissed teachers were selected on the basis of their qualifications and preparation, not their race. At the board meeting May 14 at which the new plan was announced, three Negro fathers presented a list of 37 Negro children who attend the West Side School and said that they wanted to remain at West Side and would not attend the Hermitage School.

The West Side enrollment this year was 308. Hermitage School had an enrollment of about 450, including 65 Negro children.

Little Rock, Pulaski County--At the board meeting May 30, T. E. Patterson moved that the board appoint a committee to study the U.S. Supreme Court's new decision on the freedom-of-choice plan and make appropriate recommendations to the board. The motion was adopted and board President Edwin N. Barron Jr. appointed Winslow Drummond, William R. Meeks and Charles A. Brown, board members; Supt. Floyd Parsons and Deputy Supt. Paul R. Fair; Herschel H. Friday Jr., the board's attorney; and Jerry D. Perrin, to the committee. Perrin, a former principal now on sabbatical leave, was chosen at the same meeting for the position of advisory specialist in human relations.

Later in the meeting the board tried once more to decide whether to go ahead and build a running track at Booker Junior High School. This is an all-Negro school about two blocks from Horace Mann High School, all Negro, both of which would use the track. There is considerable opposition to the project because of the uncertain future of the two schools. John W. Walker, Little Rock Negro lawyer who represents Negro plaintiffs in the Little Rock desegregation litigation, objected to the building of the track and went on to threaten the board with another lawsuit if it "persists" in operating all-Negro schools. Lavelle Johnson, Negro representative of the Neighborhood Action Council, an anti-poverty agency in the Horace Mann neighborhood, agreed with Walker, and said that the board would have to do more than either the Oregon Report or Parsons Plan promised to satisfy the Negroes in the east end. Those are two desegregation plans which the voters disapproved in the last eight months. Drummond, a lawyer, agreed with Walker that the board would have to act; he said that the Supreme Court decision in the Jackson, Tenn., case "covers Little Rock to a 'T.'" Eventually the board delayed the Booker track but only because it is trying to reduce the cost from the \$182,000 low bid.

Jonesboro, Craighead County--The school board voted May 14 to change the attendance zone boundaries of four elementary schools, starting next fall, to achieve more racial balance in their enrollments. The changes are expected to reduce the Negro enrollment in the North and East Elementary Schools and to increase in the West and Hillcrest Elementary Schools. The district has about 5,000 white and 500 Negro children.

Stuttgart, Arkansas County--Six Negro students were graduated from Stuttgart High School, May 20, in the school's first year of desegregation. Three were in the upper 25 per cent of the class. The Stuttgart Daily Leader of May 21 ran a picture on the front page of the first two of the six to receive their diplomas.

* * *

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What They Say

Arkansas Gazette, Little Rock, May 29--Commenting with approval on the Supreme Court's freedom-of-choice decision, the paper said in part: "For Little Rock, in the circumstances, it is too late now to attempt another voluntary, dignified approach to meeting the law's requirement for a unified school system. Freedom of choice in the Little Rock district has become nothing more than a device for delay, even for obstruction. The new segregation-minded school board majority doubtless will go through the motions of defending itself in court, but there is no reason for the rest of us to have any illusions about the outcome."

Bill Courtney in the Wynne Progress, May 16---"The crowd of Negro students who barricaded Hill Hall, Tuesday, and disrupted the University of Arkansas journalism and printing departments, and the Negro students who tore up Columbia University in New York, have answered at least one question for peaceable people: Now we understand why they were kept out in the past."

Bill Courtney in the Wynne Progress, June 6, after the school board had been told that it would have to do better than the freedom-of-choice plan: "We have received orders from the federals to reorganize 'our' school system to conform with their ideas about how we should handle the institutions we support for education of our children. Just what we have to do, how we're to do it, and how we're to pay for it, they offer no plan other than 'it is a local responsibility; go ahead and do it and then we'll decide if it's acceptable.'"

"They offer no suggestions about how we're to pay for the new buildings which will be necessary if we have to abandon part of our system. If we understand their demands rightly (and it is unlikely that ANYBODY does) we are called upon to abandon part of our school plant and jam all the students into one part---anything, just so they'll all be together in one great big checkerboard family.

"We sometimes wonder if the Supreme Court ever read Amendment 10 of the United States Constitution which is "The powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people." It doesn't say that schools are the responsibility of either the states or the federals, but if schools are to be run by federal edict, then they should be financed by the same iron hand that rules them."

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North Little Rock Times, May 30--After reading the school board's statement sent to HEW that it would continue the freedom-of-choice plan for another year, the paper commented in part: "We are confident, however, that this is merely an expedient promise, made to satisfy the federal government until school officials work out the mechanics of what they have anticipated for months that they eventually would have to do--draw new attendance zones for the city's schools, especially the junior and senior highs. We expect this to happen quite soon...."

Pine Bluff Commercial, May 29--"We were sorry to see the governor asking this session of the legislature to provide still another \$40,000 to help local school districts fight desegregation in the courts. The experience of Altheimer alone is instructive on this score; the Altheimer School District has paid out more than \$5,604.36 in lawyers' fees and court costs and still owes \$11,404.53 more. The result of all this investment has been one case lost and the other settled out of court...."

The Warren Eagle Democrat in an editorial reprinted May 17 in the Pine Bluff Commercial, designated HEW as the villain in the imbroglio over the firing of nine Negro teachers at Hermitage, then the rehiring of six of them; this was because HEW had delayed so long giving a decision on Hermitage's freedom-of-choice plan that the school board felt it had to make a move in anticipation of the decision, which did turn out to be the one the board had expected.

Arkansas Gazette, Little Rock, May 21--"Taxed with his failure to support any of the outright civil rights measures approved by Congress over the past few years--or, rather, asked by the panelists on KARK-TV's Challenge '68 program to explain his votes on those measures--Senator Fulbright could say only that passing laws 'declaring' Negroes to be equal was 'not enough.' Negroes, he said, 'must have the education....to develop the talents to fill a proper role in our society.'

"He had consistently supported programs that would help 'alleviate the disparity' between Negroes and whites in such areas as education and health care and would continue to do so. But, 'I have voted against the other bills. This has been the best judgment of the people of this state and of most Southern states. I'm inclined to think that history will be much kinder to our judgment than it presently is because now you are witnessing the turnaround....'

"We are inclined to think just the opposite. What history may actually be forced to rule is that the situation was irretrievably lost in the vacuum of leadership that existed momentarily in the wake of the 1954 school desegregation decision and that was quickly filled by the demagogues...."

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"When Senator Fulbright tells us that education is the only answer in the matter of racial differences and that these differences cannot be erased by law, the answers seem even sadder because they come from a man who quite possibly has done more for the cause of education as education than any man presently in Congress. We, too, know that racial differences, much less racial animosities, cannot simply be made not to exist by declaring them illegal. But we also know that the whole point to the courts' recent rulings in this and related fields was that the American Negro could not be 'educated' out of his low estate within the framework of public education as it has always existed in this country."

* * *

Community Action

The Arkansas Council on Human Relations disclosed in its May newsletter that it was making a statewide study among the school districts to find out why faculty desegregation was not keeping pace with pupil desegregation. Elijah Coleman, executive director, explained, "We've had some general complaints about faculty integration in the state. Most of the school boards tell us the difficulty is in getting white teachers who are willing to teach in predominantly Negro schools. What we're trying to find out is whether that's really the case or if these school boards are just dragging their feet."

* * *

The Pine Bluff NAACP sponsored a meeting the night of May 17 at St. John AME Church to commemorate the 1954 decision on school desegregation. About 15 persons attended. Dr. Robert J. Smith, Negro surgeon and the main speaker, reminded them that dedication and not numbers was the standard for judging the strength of the civil rights movement. He said that the 1954 decision was the beginning of the Negro revolution in America but that the life of the Negro in the south had changed little in the succeeding 14 years. For example, he said, less than 10 per cent of the Negro children in Pine Bluff attend desegregated schools.

* * *

The Little Rock Central High School Class of 1958 will have a 10-year reunion June 15 at Hotel Lafayette in Little Rock. This was the senior class in the first year of the school crisis at Central High, the year that federal paratroopers were called out to keep peace at the school. One of the "Little Rock 9," the nine Negroes who entered Central that fall, was a member of the class. Brooks Hays, a member of Congress at the time, who lost his office to a white supremacist because of his efforts to mediate the situation, will speak at the reunion.

* * *

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Three of the 10 church-sponsored kindergartens in Pine Bluff are desegregated, the Pine Bluff Commercial found in a survey reported May 17. Each of the three had one Negro child. Only two of the 10 said that a Negro would not be accepted if one applied.

* * *

In The Colleges

Petitions signed by 470 University of Arkansas students, asking for an end to racial discrimination on the campus, were presented May 3 to President David W. Mullins. He said, "These are matters we are all concerned about....We are not in the business of discrimination. I think we should be color blind in regard to any student activities."

The petitions grew out of a memorial held after the murder of Dr. Martin Luther King Jr. in Memphis, April 4. At that time about 500 students gathered on the steps of the university library to mourn the slain civil rights leader. The petitions were presented to President Mullins by Dana Duke and Mrs. Harriett Jasma, both white.

The petitions ask the university to:

- * Integrate all athletics.
- * Remove discriminatory off-campus housing from any lists furnished by the university.
- * Eliminate de facto segregation in women's dormitories.
- * Eliminate racial discrimination in sororities and fraternities.
- * Refuse to allow industries that discriminate to solicit employees on the campus.
- * Encourage Negro participation in extracurricular activities.
- * Present courses in Negro history, literature and culture.
- * Form a permanent student-faculty committee to implement these recommendations.

* * *

Faculty members at the University of Arkansas at Fayetteville have organized a Committee on Human Relations, which issued a statement of principles May 16 signed by 170 of the faculty. The statement said that there was still "an atmosphere which encourages, consciously or unconsciously, racial discrimination" in the university community. "Despite the official policy of integration and the removal of most legal bars there remain many social and personal bars. We therefore ask students, faculty and staff to join us in a common effort to achieve an atmosphere of hospitality and good will toward all."

The statement made the following recommendations:

- * That the university actively seek Negro employes, faculty and staff, at all levels;
- * That courses in Negro history, literature and culture be established;
- * That more Negro speakers of note be invited to the campus;
- * That students be encouraged to invite Negro participation in their organizations and activities;
- * That the university not recognize fraternities or sororities whose national or local charters or by practice exclude individuals on the basis of race, creed or color;
- * That the university use the full weight of its authority to encourage the athletic department to recruit and finance Negro athletes, especially those from Arkansas;
- * That the university keep a list of off-campus housing where the owners agree to accept all students regardless of race and refuse to list any others;
- * That the university promote meaningful co-operative programs with the predominantly Negro institutions of higher learning in the state;
- * And that the university set up an official committee to deal with questions of human rights on the campus.

* * *

Political Action

The new state Training School Board voted 3 to 2 at a meeting May 23 at Little Rock to begin putting its desegregation plan into effect by closing the school for Negro girls at Fargo and transferring them to the school for white girls at Alexander. This is to be done during the summer.

A special session of the legislature was meeting at the time and the next day state Sen. Dorathy Allen of Brinkley, which is six miles from Fargo, expressed her indignation and persuaded both the Senate and the House to adopt resolutions asking the board to rescind its decision. The board met again May 28 but refused to change its mind. One of the members, Jess Reeves of Pine Bluff, said that there were only two possible reasons for keeping the Fargo school open--to maintain segregation or for "purely political reasons." He said he was a segregationist but that segregation had already been ruled out by the courts; but if someone from the legislature came and asked the board to keep the school open only for political reasons, he would vote to do so.

Sen. Allen was aggravated at losing a state institution out of her county, but Gov. Winthrop Rockefeller said that that would not be the case anyway. The facilities, several buildings on 275 acres, will be put to some other use by the state, he said.

Reeves and Mrs. Esther Long of Ozark and Mrs. Alberta Judah of Little Rock voted for the closing at both meetings. Rev. D. J. Webster of North Little Rock, chairman and only Negro member, and Marion G. Ward of Little Rock voted against. There are 95 girls at the Negro school and 68 at the white school.

At the meeting May 23 the board also adopted a reception and classification plan devised by the state Rehabilitation Service, and hired Paul E. Shipley, Lewisville school superintendent, to be executive director of the program.

There are about 550 juveniles in the four schools. Many of them--maybe 90 per cent of the Negro girls at Fargo--do not belong in training schools, according to Reeves, they are just children with no one else to care for them.

The board filed its revised desegregation plan May 30 in federal court at Little Rock as ordered by Judge Oren Harris. It said that the Negro girls school at Fargo would be closed over the summer and that after that all girls would be assigned to the school at Alexander, which is near Little Rock.

As for the boys, the board said it would follow the criteria prepared by the Rehabilitation Service in making assignments. Boys "who are reacting to acute situational stress" will be assigned to the Pine Bluff school, now for white boys, and those "whose diagnosis indicate antisocial character development" will be assigned to the Wrightsville school, now for Negro boys.

With regard to faculty desegregation the board said that the teachers and staff of the Fargo Negro girls school would be transferred to the other schools and that it had directed the superintendent of each school to give priority to Negro employment on the faculty and staff.

* * *

Interviewed on a television program May 16, Sen. J. W. Fulbright (D-Ark.) said that he had opposed civil rights legislation because he thought the best approach to the racial problem was to enact programs that would help the disadvantaged persons develop their talents. The Northern approach in Congress is to enact bills declaring equality, Fulbright said, while the Southern approach has been to enact legislation that will help Negroes upgrade themselves through vocational training and other educational programs. "Passing laws declaring them to be equal is not enough. They must have the education to develop the talents to fill a proper role in our society," he said.

Fulbright has two opponents in the Democratic primary this year and one of them is Jim Johnson, the segregationist leader of the state.

* * *

Legislative Action

Gov. Winthrop Rockefeller (R-Ark.) called a special session of the legislature May 20 (to deal with fiscal problems) and to general surprise included a request for money to be appropriated from the education fund to reimburse local school districts for the legal expenses of desegregation lawsuits. Such bills have been adopted from time to time in the last 10 years, including one in the 1967 regular session. The 1967 act appropriated \$75,000 for expenses incurred in the calendar years 1966 and 1967; \$34,563.91 of that has been disbursed to Saratoga, Morrilton, Altheimer, El Dorado, West Memphis, Willisville, Marvell, Rison, Dermott and Gould School Districts. (Each district must prove "extreme financial hardship" to qualify for reimbursement up to 50 per cent of its legal expenses.) The bill was to appropriate the rest of the \$75,000.

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The governor explained that the Gould School District had asked him to list the item in his call and that he had made a campaign promise to do so. He said it was not for purpose of defending or prolonging segregation but to make it possible for the school boards to obtain judicial rulings on various questions in the situation.

When the bill (House Bill 29) was sent up to the legislature, it had the name of state Rep. Jimmie Don McKissack of Star City (which is in Lincoln County with Gould) on it as the sponsor. McKissack promptly crossed it off. The bill was finally sponsored by state Rep. Charles Davis of Springdale, which is in Washington County, in Northwest Arkansas, where there are virtually no Negroes.

About 10 Negroes, led by Dr. Jerry D. Jewell of North Little Rock, state president of the NAACP, and John W. Walker, Little Rock lawyers, picketed outside the state Capitol Friday, May 24 against the bill. Dr. Jewell said it was not "right to use our money against us." He said there would be no legal fees to pay if the school districts would just follow the law. Three other Negro organizations, the Arkansas Teachers Association, the Leadership Roundtable of Little Rock and the Arkansas Democratic Voters Association, notified the legislature of their opposition to the bill.

HB 29 was taken up by the House Education Committee on Tuesday morning, May 28. W. C. Shepherd Jr., president of the Gould School Board, argued for it. But Rep. Ode Maddox of Oden, a school superintendent in Montgomery County where there are no Negroes, commented that "as long as we subsidize attorneys' fees for integration suits we are going to continue these suits" and he said the money should be used for teacher salaries. Rep. Paul Meers of Little Rock said "The Negro feels this money is being used against him. This to him is a symbol. The amount of money is not great but it looms large in his view as a cause." Several other committee members said that it was time for the legislature to stop paying the legal expenses and the committee voted 7 to 3 to give the bill a "do not pass" recommendation.

The bill came to the House floor that afternoon. Meers and Rep. Herbert Rule of Little Rock spoke against it, Rep. Paul Bates of Pine Bluff for it. The vote was 36 to 36, with the other 28 members not voting.

Rockefeller had received so much criticism over the bill that he had issued a statement explaining his position. It follows:

"Let me make it absolutely clear that I am irrevocably committed to equal educational opportunities for ALL children in Arkansas. My administration has been based on that idea and will continue to be. I am equally opposed to the use of state funds simply to fight desegregation.

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"At the same time, it is very often true that the best way to settle legal questions about desegregation is to give the local school board its day in court. Litigation is often the only reasonable and proper way to clear up confusion about the law. This clarification in court is often the best means of obtaining community co-operation in the course of action which the local board will finally pursue.

"This right to litigate in good faith the contentions of the local boards should not be limited to the larger and wealthier districts. These districts have the resources to employ counsel to handle such matters. But it may be a substantial burden on a small district with very limited resources.

"Accordingly, at the request of several of these small school districts, I have included in the call for the special session a provision allowing the amendment of Act 655 of 1967, which will permit the partial reimbursement of local school boards for certain legal expenses. By placing it in the call, I provided these districts the opportunity to convince the legislature of the merit of their proposal. There is no administration bill as such. The districts are handling the legislation on their own.

"Finally, I am opposed to using this act for obstructionism. Accordingly, I am asking the sponsors of this legislation to further amend the original act to provide that the state Board of Education 'may' rather than 'shall' reimburse local districts under this act. This gives the state board the discretionary power to make a judgment as to whether this money will be used in a fair and reasonable manner."

The first such reimbursement act was adopted in 1959 during the Little Rock school crisis. Under that and succeeding acts a total of \$79,487.83 was paid out to local districts, not including the \$34,563.91 paid under the 1967 act.

* * *

Legal Action

While the U.S. Supreme Court's decision in three cases May 27 did not deal the freedom-of-choice concept a final blow, it did throw out the choice plan used since 1965 by the Gould School District. Associate Justice William J. Brennan Jr., reading the unanimous decision, said that the Gould board's choice plan "rather than furthering the dismantling of the dual system....has operated simply to burden the children and their parents with a responsibility which Brown placed squarely on the school board."

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The court ruled that the Gould board "must be required to formulate a new plan, and in the light of other courses that appear open to the board, such as zoning, fashion steps which promise realistically to convert promptly to a system without a white school and a Negro school, but just schools."

It was a landmark ruling since freedom of choice is so widely used in the South. With the Gould case, Arthur Lee Raney et al. v. The Board of Education of The Gould School District et al., the court ruled in similar cases from Jackson, Tenn., and New Kent County, Va.

That Gould got into court at all, much less in a major decision by the Supreme Court, seemed, in retrospect, unlikely. "It was a fluke," said John W. Walker, the Little Rock Negro lawyer who represented the Negro plaintiffs. "It was Carrie Dilworth," is the way the white leaders in Gould look at it. Gould has no history of racial trouble although the Student Non-violent Co-ordinating Committee worked hard there for a few years in the early 1960's. When the 1964 Civil Rights Act was adopted, the school board decided to desegregate all 12 grades in September, 1965 under freedom of choice. Seventy-one Negro children chose the white school. But because of crowding, 28 of them who wanted to enter the fifth, 10th and 11th grades were rejected--and that set in motion the events that ended with the Supreme Court decision of May 27.

Early Tuesday morning, Sept. 7, 1965, Mrs. Dilworth, now 68, started toward the Gould School with about 20 of the children whose choice had been rejected, one of them her grandchild. A block from the school they were met by 14 State Police cars containing 19 troopers and 15 deputy sheriffs. Supt. T. Raymond Sage had heard that there would be a protest march and had obtained an injunction against demonstrations and meetings "held for the purpose of heaping disgrace" on the school system. Such a show of force surprised Mrs. Dilworth and also angered her.

As she says now, looking back on it, "I was surprised our white people would act like that. I had hoped they would find an opening for the children if we came back. But there was all these state highwaymen saying we was going to march. I didn't have no thoughts about what they thought we was thinking about."

She has been feuding with the white establishment at Gould all her life, to the point of running a futile race as a write-in candidate against the longtime mayor, A. L. Butcher. When the SNCC workers arrived a few years ago, she furnished them lodging and help. Nowadays there is neither SNCC nor NAACP in Gould. "The young people is a little afraid now," Mrs. Dilworth says. "It's the old people who make them afraid. They got a little Social Security and welfare and they're sickly. We got to get a new name and a new organization."

Before Sept. 7, 1965, was out, the lawsuit had been filed. In the first hearings Supt. Sage mentioned that the board was planning to construct a new high school on the campus of the Fields School, which is all Negro. Walker, for the plaintiffs, attacked that on the ground that a new building there would tend to attract Negro students which would keep them segregated in contravention of the 1954 Brown decision. He asked the court to order the Board to place all new facilities on the grounds of the Gould School. Federal Judge Gordon E. Young of Pine Bluff dismissed the complaint April 26, 1966, and Walker appealed to the Eighth Circuit Court of Appeals at St. Louis.

In the meantime Walker had filed a similar complaint for Negro clients in the Altheimer School District and Judge J. Smith Henley of Harrison had ruled against them. Again Walker appealed. Because the court reporter in the Gould case became ill, the Altheimer case got ahead on it in the appeal process and was heard first by a panel of judges consisting of Gerald W. Heaney of Duluth, Minn., Donald P. Lay of Omaha and M. C. Matthes of St. Louis. They ruled for the plaintiffs, including a precedent-setting order to the board to construct all new buildings with the express purpose of ending segregation.

When the Gould appeal was heard, it was before Judges Martin D. Van Oosterhout of Sioux City, Charles J. Vogel of Fargo, N.D., and Floyd R. Gibson of Kansas City. They upheld the dismissal by the lower court in what seemed to Walker to be a clear-cut conflict with the decision in the Altheimer case. If the appeals court had sent the case back to Judge Young with instructions to work out some feasible plan, Walker now says, the Gould case probably never would have gone any farther than that. Instead the appeals court denied all relief and said that the complaint had no merit, whereas Walker saw it as almost identical to the Altheimer case. So the appeal to the Supreme Court was made inevitable.

Gould is a farming community of about 1,100 population in Lincoln County in southeast Arkansas. The district has two schools, the mostly white Gould School and the all-Negro Fields School, which are about 10 blocks apart. There are 315 white and 477 school-age children in the district. About 15 per cent of the Negroes attend the Gould School, the rest go to the Fields School.

In the May 27 decision Justice Brennan said that the dismissal of the complaint by the district court was "an improper exercise of discretion" and cautioned that in the future such dismissals "will ordinarily be inconsistent with the responsibilities imposed on the courts by the Brown case."

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Brennan ordered the lower court to hear the plaintiffs on how the new building on the Fields School campus--which has been completed while the case was on appeal--should be used. Walker has amended his appeal, after the building was completed, to ask the court to order the school board to use the Gould School as a junior-senior high school for all students and the new Fields School as an elementary school for all children.

The Gould Board was represented by Robert V. Light of the Little Rock firm of Smith Williams Friday & Bowen. With Walker for the plaintiffs was Jack Greenberg of New York of the Legal Defense and Educational Fund of the NAACP.

* * *

The Marvell School District in Phillips County is under order from the Eighth Circuit Court of Appeals to begin faculty desegregation in 1968 and to complete it by 1969. The board's attorney, Robert V. Light of Little Rock, asked for a hearing on May 3 at which he told Judge Oren Harris that the board was committed to carrying out the appeals court mandate but that he wanted to have some of the school officials testify about problems they had encountered.

The superintendent and his staff have been planning for faculty desegregation since the appeals court ruling in February, Light said. "They are doing this, your honor, not in a vacuum. They are not doing it in an urban community....They are doing it in a rural Mississippi delta county where agriculture is the only activity, where approximately 80 per cent of the population is Negro, where there has been an absolute and complete separation of the races for 100 years in every aspect of community life, broken only three years ago by the initiation of the desegregation of the public schools." Light said he wanted to give the court some idea of what to expect later on as the actual assignment of teachers took place.

Judge Harris declined to hear any such testimony. He said that he realized there were problems but that the testimony would accomplish nothing since the appeals court has already ruled on what is required. Besides such testimony might stir up animosity and make it even harder for the school board to solve its problems, he said. The board has been able to work out its pupil desegregation, he said, and he was confident that it could also work out faculty desegregation, with serious thought and the right attitude. "Between now and August or early September there should be some soul searching," he commented.

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He directed some of his remarks toward the teachers who are being asked to teach students of the other race. "Somebody could try. They might find it was not nearly as bad as they thought it was going to be. I have seen that in other instances. I have talked to some of the teachers [in other districts] who decided to try it."

The Marvell District had no faculty desegregation during 1967-68. The district has 625 white and 1,675 Negro students. About 230 of the Negro children attended desegregated classes in 1967-68.

Judge Harris directed the Marvell Board to report to him by Aug. 1 on its faculty desegregation plans, on its plans to operate school bus routes on a nonracial basis and the procedure to be used to make sure that all students and their parents receive notice annually of their right to make a choice of schools.

* * *

The remaining charges from the three dynamitings in Little Rock on the night of Sept. 7, 1959, were dismissed by the state May 10 in the Circuit Court of Pulaski County. Dynamite was used that night to damage the Little Rock School Board offices, the private business office of the mayor and a city-owned car used by the fire chief, which was parked at his home. This was in protest of the reopening of the Little Rock high schools on a desegregated basis after they had been closed by then Gov. Orval E. Faubus for one year to evade desegregation.

The charges left over were those of injuring property with dynamite and they were against E. A. Lauderdale Sr. and Jesse Raymond Perry, both of whom had served time in prison for the other dynamitings. The prosecuting attorney's office said that there were various defects in the cases which would prevent their ever being brought to trial successfully at this late date.

* * *

The Little Rock School Board has a rule that a student who is arrested is automatically suspended from school until the charge is disposed of in court. This rule was attacked May 20 in a federal court lawsuit filed by John W. Walker, Little Rock Negro lawyer, for two Negro boys, a senior at Horace Mann High School and a Junior at Central High School, who had been arrested on misdemeanor charges. Walker said that the application of the rule would prevent the Horace Mann Senior from graduating with this class and would prevent the 11th grader at Central High from taking final examinations, thus wasting a year of school work. The case is Robert Doe. v. Barron et al. Since they are minors the real names of the two plaintiffs were not used.

Arkansas-19
May, 1968

Judge J. Smith Henley of Harrison got the case, but the parties in private conferences worked out a way for the senior to meet graduation requirements and the 11th grader to take his exams, and no court action was required.

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DELAWARE HIGHLIGHTS

The future of Delaware State College in Dover, closed May 16 after riots by the student body, is uncertain. Limited commencement ceremonies were conducted in June, with attendance by invitation only. Members of the National Guard remained on campus as graduation rites were held in a Dover school.

The State Board of Education is pondering a policy concerning the teaching of contributions of minority groups.

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Delaware-1
May, 1968

DELAWARE

In The Colleges

Commencement exercises were conducted June 3 in a Dover elementary school for 123 seniors at Delaware State College, which was closed for the academic year on May 16 by the Board of trustees after riots by the student body. Admission for the graduation program was by special pass only, and a car with six Dover policemen in it sat outside the auditorium during most of the ceremonies.

Five honorary degrees, including one to former baseball star Jackie Robinson and another to John N. McDowell, chairman of the board at Delaware State, were presented by President Luna I. Mishoe. The Rt. Rev. William G. Ryan, president of Seton Hill College in Greensburg, Pa., told the graduates that militant protests are justified--without violence--in seeking equality for the Negro.

Delaware State's enrollment of some 900 is more than 80 per cent Negro. Msgr. Ryan noted that Delaware State has had its difficulties, but said that was not a unique situation. "Admittedly there is room for improvement at Delaware State. Where isn't there? Look at my alma mater Columbia."

The speaker praised the progress of desegregation at the Dover institution. "Delaware State is a college that is exemplary for being a truly integrated school," he said.

Absent from the ceremonies--where the audience barely outnumbered the graduates--were the two key figures that led to the closing of the school. One was Leroy Tate, president of the student body, who led a demonstration on May 10 that prevented official dedication of a student center in honor of Dr. Martin Luther King.

Gov. Charles L. Terry, at that time, left the dedication ceremonies after the students refused to allow him to speak. The governor did not attend the commencement services but spoke instead to graduates at Lord Baltimore High School at Ocean View in Sussex County, Del. However, his office was represented by Lt. Gov. Sherman W. Tribbett, and Mrs. Terry sat in the audience.

There was evidence of trouble at Delaware State as early as March, when the student body conducted an academic strike for certain privileges, and invited a number of Black Power advocates to campus functions. During one of the functions, a white photographer was roughed up while attempting to take pictures, and cars of white newsmen were pelted with rocks as they left the campus.

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However, both the administration and law enforcement officials were caught by surprise at the extent of the protest on May 1 when the governor attempted to dedicate the student center. At issue was a protest against the board of trustees, at the same ceremony, for not dedicating a new dormitory in honor of Medgar Evers, another civil rights leader slain in Mississippi in 1963. As the dedication ceremony began, Gov. Terry was introduced by James C. Hardcastle, a Negro member of the board and administrator in the Dover school district. Hardcastle called Terry "a friend of higher education."

As the governor took the stand, he was interrupted by a loud roll on a bongo drum and chants from some 75 students. The governor backed away from the podium, and Dr. Mishoe arose. "I'd appreciate it very much if you would not interrupt," he said. But Dr. Mishoe was also interrupted by another drum roll and more chants.

The governor returned to the stand, pointed his finger at the group, and said: "I have no more interest in speaking to you few than you have in listening to me," and returned to his seat.

As other students, including Tate, mounted the platform state police cars from a nearby troop arrived on the campus, and the governor departed in his limousine.

Dr. Mishoe, as he took the stand for the fourth time, stated that "we are going to postpone this dedication ceremony in the public interest and to avoid bloodshed." Earlier, the president had explained that a name had not been selected for the dormitory, and that the request from the students to name it for Evers had come too late to be considered by the board. However, the students, led by Tate, held their own dedication of both buildings. After the incident, the board president issued a statement which said in part: "A group of... students showed disrespect for their own college, for the highest office in this state, and for the late Dr. Martin Luther King.

"They also displayed a lack of sincerity, since it was the students themselves who requested that the student center be dedicated in the memory of Dr. King a request granted quickly and with full accord by the college trustees."

Two days after the outburst, Tate was suspended. Dr. Mishoe, in a formal letter to the student leader, noted that he "led a group of students in the complete disruption of an official activity of the college." The letter noted that Tate should "solve the matter with the board rather than by further demonstrations."

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On May 15, a day after the news of Tate's suspension was made public, the college was closed to visitors as state police blocked all entrances. "We've heard that students from Cheyney and Howard might be invading the campus and we have taken this precautionary measure," Dr. Mishoe stated.

On May 16, while Gov. Terry was in Wilmington to tape a television show, some 200 students barricaded themselves in the administration building and refused Dr. Mishoe entrance.

Gov. Terry, working in co-ordination with Atty. Gen. David P. Buckson, immediately ordered 125 state policemen and a National Guard battery of more than 100 men to enter the campus and restore order. At this show of force, the students agreed to leave peacefully the administration building for a meeting at the student center, where they presented a list of demands that included: reinstatement of Tate, and amnesty for all protestors, resignation of Dr. Mishoe, new courses emphasizing African people, an apology from Gov. Terry, and an increase of the Negro members on the 11-member board of trustees from four to eight.

The demonstrations at Delaware State found some support at the University of Delaware in Newark, a predominantly white institution, which numbers some 50 Negroes among its student body of 6,500. Approximately 100 students at the university, during the Delaware State demonstration, staged a sit-in in the student center, but quietly departed on the morning of May 17.

However, they made the following demands in a petition presented to the board of trustees: more black professors, and black members on the board of trustees, more Negroes in responsible executive positions, a black cultural center and courses on Negro and African history, active recruitment of black students, and complete financial aid for disadvantaged black students.

"Make the university relevant to the black and poor white community of Wilmington: free courses on Saturdays and Sundays, also for people without high school education."

The students also called for the reinstatement of Tate and the granting of all demands of Delaware State College students. The protestants at the university included both white and Negro students.

Even as the Delaware State students presented their list of grievances, the board of trustees voted to close the school and mail the diplomas and grades to students as of May 16. Commencement services were cancelled, and all students were ordered to vacate the campus by 3 p.m. on May 17.

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Motels were provided in Dover for those students who were unable to arrange transportation. By May 18, all students were gone and only a small detachment of state policemen and Guard personnel remained.

A decision to hold commencement exercises was made on May 19, when the board also announced it would hold summer school beginning June 17, as scheduled. However, there will be no provisions for summer students to stay on campus, and all students must leave by 5 p.m. A decision as to whether the college will reopen in September has not yet been made.

There has been considerable discussion among members of the General Assembly as to whether the college should be converted into a two-year community college. One such college already exists in Georgetown in Sussex County and another will open in September in New Castle County. Delaware State is located in the state's third county, Kent, which has no such facility.

* * *

Schoolmen

The State Board of Education has postponed until July a decision on whether to teach contributions of minority groups to American society to Delaware pupils. At the July meeting, the assistant superintendent of public instruction is expected to present for board consideration a new policy for selection of school books.

Dr. Howard E. Row, at the June meeting, said the Department of Public Instruction believes all materials should treat the contributions of minority groups, particularly those of Negroes, in proper perspective.

The six-member board, which includes one Negro, agreed with Dr. Row's contention that it is just as educationally unsound to put any minority group into a special classification as it is to ignore it. Dr. Row said the department, in selecting books, will pay more attention to content, rather than physical features, such as print or bindings.

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FLORIDA HIGHLIGHTS

The Supreme Court's ruling that freedom-of-choice plans to end school segregation may be inadequate is likely to have considerable effect on Florida schools.

Federal funds for schools are not a take-it-or-leave-it proposition, a St. Lucie County school official told Kiwanians-- if you do not comply with HEW they may take it, but they will not leave you alone.

Little Union County in North Florida decided to desegregate its three schools completely next fall, all students going to the school assigned by their age and grade groups.

Big Dade County's 214-school system was an early leader in desegregation but still is having troubles.

Fourteen members of the United Black Students staged a sit-in at the University of Miami, were arrested and carried away by police.

A Negro Daytona Beach athlete decided he would go to Minnesota rather than Florida State after receiving "threatening" letters.

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Florida-1
May, 1968

FLORIDA

Schoolmen

The U.S. Supreme Court's decision that freedom-of-choice plans of school desegregation were inadequate in many cases and should be abandoned is likely to have considerable effect on Florida schools, State School Supt. Floyd Christian said in Tallahassee May 27. Sixty-two of Florida's 67 county school systems use some form of freedom of choice, but only five counties--Dade, Charlotte, Holmes, and Okeechobee--have been adjudged fully desegregated by HEW officials.

Supt. Christian said: "Over the years, the freedom-of-choice plan has made it possible for Florida to move in an orderly and effective manner toward full integration of schools, and Florida has made meaningful and significant progress toward that end." In the fall of 1967, Christian said, 689,447 white and 104,581 Negro children were in desegregated schools. Total enrollment in the state was 929,894 white and 288,672 Negro pupils.

County school superintendents were unsure just what effect the newest ruling would have on their systems. Dr. Raymond Shelton of Hillsborough (Tampa) said news accounts of the decision were too brief and too general for him to determine whether the decision would affect Hillsborough. He noted that Hillsborough is equal to the state level of desegregation with 18 per cent of its pupils in mixed classes.

Brevard County (Cape Kennedy) Supt. Frank Brown said his system is already ahead of the decision. The Brevard school board had asked the University of Miami Desegregation Center for an improved plan of desegregation to distribute Negroes at an even ratio in all schools. Some problems in busing are expected, he said, but will be met.

Polk County (Bartow) is in the second year of a court-ordered freedom-of-choice system and Supt. Shelley Boone was unsure of the ruling's effect. "This big question is what the decision will do in terms of next year since we have already planned our building program for next year and have received our pupil requests for assignment," he said. Under the current plan, Polk's 54,000 students include 3,000 Negroes in desegregated schools. There are 7,000 whites in desegregated schools.

Florida-2
May, 1968

In Stuart, county seat of Martin County, Supt. Jim Navitsky said he expects no problems because the system already has dropped freedom of choice in favor of a zone plan in which students may choose any school within a particular zone. The county has eliminated all dual-school situations above the sixth grade and elimination of the three remaining predominantly Negro grade schools await only construction of new facilities.

Pinellas County (Clearwater) announced May 18 it would switch to a system of zones, which will result in the transfer of some 3,000 students. Affected will be nine senior high schools, 10 junior highs and three elementary schools. The county's last two all-Negro schools--Pinellas Junior-Senior High in Clearwater and Union Academy in Tarpon Springs--will be eliminated by the plan. In addition to compliance with desegregation guidelines, the new zone system is expected to correct extreme overcrowding in many schools in St. Petersburg and Clearwater. The plan was expected to be approved by the school board June 12.

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Collier County (Naples) schools are the subject of a complaint to HEW officials because the school board, in attempting to comply, approved the phasing out of four all-Negro schools and transfer of their students to white schools.

Albert Lee, PTA president of the all-Negro Pinecrest school in Immokalee, said the plan was "extravagant, discriminatory and prejudicial to Negro students' welfare." Besides Pinecrest, the schools scheduled for phasing out are Bethune at Immokalee, DuPont at Everglades City and Carver in Naples.

Lee said one of the two Immokalee schools is less than 12 years old and that to phase it out would be wasteful. He said discrimination will result because Negroes will lose a community asset and that the reassignment of Negro pupils to a school in a white growth area "is official surrender to pressure from white parents who have declared they will not send their children to schools in the Negro community."

* * *

Compliance with HEW guidelines is not a matter of choice, St. Lucie County School Supt. Ben Bryan told a Kiwanis Club meeting in Fort Pierce. In response to a question, Bryan said about \$500,000, or 10 per cent, of St. Lucie's school budget comes from federal funds.

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May, 1968

"Some people get the idea we can tell the federal government to take their money and leave us alone," said Bryant, "but they do not operate that way. They might take the money away but they would not leave us alone. They would have the Department of Justice in to charge you are not complying with the Civil Rights Act of 1964. It is not a take-it-or-leave-it proposition but a matter of compliance."

The St. Lucie School Board has been informed its system is not in compliance and is in the process of formulating a new plan.

* * *

A desegregation plan recommended for Palm Beach County schools by HEW was received with disfavor by the school board May 20. School officials told the board that if the recommendations were implemented the result would lead to a mass exodus of white residents from many districts to avoid assignment of their children to schools with more than 30 per cent Negroes in the student body.

Director of Attendance Ralph Powell said studies have shown white residents leave a district when more than 30 per cent of the students in a school are Negro. And the HEW plan, he said, could result in a 68 per cent Negro student body at Central Junior High, and a 46 per cent Negro student body at Belle Glade Senior High.

Palm Beach County will have to accept the plan, however, or present an acceptable new one of its own, in June.

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The Union County (Lake Butler) School Board voted May 20 for total desegregation of its school system next fall as a result of failure in the freedom-of-choice approach. Supt. Jim Cason said that only 23 of 1,256 students had registered for the Consolidated School under the freedom-of-choice plan. The school was built 10 years ago as an all-Negro facility. It has 12 classrooms and, while the 23 volunteer students were utilizing it at a rate of two per room, the Lake Butler Elementary School would be overcrowded.

The board accepted Cason's recommendation to send all kindergarten through grade 2 pupils to Consolidated (renaming the school Lake Butler Elementary), grades 3-8 to Lake Butler Middle School, and grades 9-12 to Union County High.

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Board Chairman Donald Duke said: "I believe that most of our citizens realize that this is a must. Last year, when we faced the same problem, we had a big crowd at the board meeting and there was some opposition. But no one here tonight has spoken against it, and I believe people realize we have no alternative to totally integrate our schools."

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In larger communities with many more schools, however, desegregation is not as easily accomplished. Dr. Gilbert M. Leggett, chairman of the state NAACP's education committee, pointed out in St. Petersburg May 1 that although 52 of Pinellas County's 107 schools are officially desegregated, often this is only token desegregation.

At Boca Ciega High there is one Negro and 1,804 white students. Gibbs High had 966 Negro students and one white. Prodding of the school board to materially correct such imbalances--by filing suit in federal court, among other things--on the part of the NAACP is thought to be a major reason behind the switch to a zone system for next year.

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The giant Dade County (Miami) system of 214 schools, although in compliance for years, still has its desegregation problems. Changing housing patterns and neighborhoods have resulted, for instance, in a decision to build a new Miami Edison High School within three years in an effort to keep it in racial balance.

Once an all-white school, Edison this year had 1,133 white, 551 Negro and 398 Cuban children. Adjacent Edison Junior High is about 50-50 white and Negro. Parents of white students insist they have no complaint about Edison being a desegregated school but that they do not wish to send their children into an area that has become commercial and low-income in recent years. They pushed for a new school in a white neighborhood.

The move will be costly, whether it is effective or not. Proposed sites in the suggested areas of Miami Shores, an upper-income suburb of Miami, could cost up to \$2 million just for the land.

While many Negro parents agree on the need for a new school in a better neighborhood, some do not. A vocal opponent is Dr. Edwin S. Shirley, who scolded Negro parents "for trying to run away" from their own identity. "You can't get away from it by going into the white community." Dr. Shirley proposed that the board phase out Edison and several other high schools in the district and build a cluster of senior high buildings on 87 acres of land the school board owns in the area of Miami Central High.

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"I envision a maximum of seven high schools or less in the county--maybe one for each district. It would stabilize the community because the whites would have no place to run to or from," he said.

Supporting the move, a Negro teacher, Mrs. Fredericka Wanza, said "ghetto children need to see how other people live." A Negro political leader, Charlie Hadley said: "If we can have this new school then we can have this thing called integration."

* * *

A more immediate Edison problem cropped up May 24 when some 500 Negro students staged a sit-in protest in the school auditorium. Among their complaints were that there were no Negro cheerleaders or band majorettes, that some social clubs were discriminatory and that some teachers displayed their bias against Negroes.

Four days of meetings between parents, students and school officials apparently resolved the protest. It was agreed that cheerleaders and majorettes will spend part of the summer training Negro candidates for selection next fall. There will also be a Pep Club open to all students, and Principal William Duncan and four teachers--two white and two Negro--will investigate any complaint of social club discrimination. One club, the Sub-Debs, will not be allowed to operate within the school, Duncan said.

Duncan added that he will counsel teachers who feel bias toward Negro students to seek transfers or resign "if they feel they can't be happy at Edison."

* * *

The first extensive busing plan ever tried in Dade County will begin next fall when more than 200 Negro students from Drew Junior High in Miami will be enrolled at Ida Fisher High on Miami Beach. Drew, with facilities for 1,460, had an enrollment this year of 1,650. Ida Fisher, which is the former Miami Beach High building, had only 572 with room for 1,600.

Ida Fisher is located in an area of South Miami Beach populated mostly by retirees. There is no Negro settlement anywhere within the city and the few Negroes who live on Miami Beach are usually live-in domestic helpers. Currently Ida Fisher's student body is 24 per cent Cuban with most of the rest of the pupils being of Jewish parentage.

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With the addition of the Negroes, Ida Fisher "will become a truly multi-cultural school," says Principal Martin D. Kavanaugh. He said he had opposed early plans to move all of Drew's ninth graders to Ida Fisher. "The Negroes would have their bloc and we'd have ours. That's not integration."

To pave the way for the transfer, groups of students from each school visited the other during late May.

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A South Dade Negro leader May 1 warned the Dade School Board that a boycott of segregated schools in the district will come about next fall. Odell Johns appeared before the board to protest an all-white citizens advisory board studying school problems in the South Dade district.

An advisory board for each of the county's six school districts was named last year, each school board member picking one advisory board member for each district. Of the six boards, only four have at least one Negro, Johns said.

School Board members replied that there was no attempt to keep Negroes off the boards; that each school board member's selection was made independently and that they had no way of knowing any citizens board would not have a Negro member.

White and Negro parents in the South Dade district have been arguing for months about the location of a new school to be built in the area. Mr. Johns said that Negro students in the Goulds, Homestead and Perrine areas are planning to boycott their segregated schools in November.

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Long-simmering racial differences at Tampa's Franklin Junior High School flared up May 17 when a physical education class football game erupted into a fight, then a schoolwide rumble. Police were called to restore order.

Trouble began when a white student said a Negro had cheated him in the chest during the game. When the two boys began fighting others in the class joined in, then students from other classes poured out of the building. More "mouthing" than fistfighting followed, said Principal Laz Lewis, and faculty members had most of the actual violence under control before police arrived.

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Lewis blamed continuing trouble at Franklin on attitudes the students bring from home. "When the white students hear Negroes called names at home, or when the Negroes hear whites called 'whitey,' they are bound to be influenced by those attitudes," he said.

Some 30 per cent of Franklin's 900 students are Negro. Following an investigation, the Hillsborough County School Board acted for possibly permanent expulsion of 22 students who were found to have weapons in their possession during the fight.

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In The Colleges

Fourteen members of the United Black Students staged a sit-in in the office of University of Miami President Henry King Stanford May 14 and were arrested by Coral Gables police summoned by Dr. Stanford. The United Black Students had demanded that the university add 30 new Negro professors, add 30 Negro-oriented courses to the curriculum and provide more scholarships for Negroes. A meeting had been scheduled for Thursday, May 16, to discuss the UBS demands but members of the Negro groups said this was just "an administration stall" and moved in on Dr. Stanford's office.

After pleas from Dr. Stanford and a Negro civil rights leader, Dr. Theodore Gibson, to leave the office were ignored, Coral Gables police carried the protestors away. They were released shortly after without bail. At a subsequent meeting, the university agreed to addition of six Negro-oriented courses and a review of the curriculum. Also added were 25 scholarships for Negroes.

* * *

A history professor at predominantly Negro Florida A&M University in Tallahassee said May 20 white teachers hold the key to putting more emphasis on Negro history and culture in the schools. Dr. Leedell Neyland said: "One thing white teachers could do first would be to learn more through either formal or informal methods about the Negro race.

"I don't believe there should be separate courses in Negro history offered at the lower levels, but each unit should incorporate the achievements and contributions of Negroes in an integrated fashion."

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Florida-8
May, 1968

Legal Action

A desegregation suit against the Broward County (Fort Lauderdale) school board may have to be revised in view of the Supreme Court's recent ruling on freedom-of-choice systems. Alcee Hastings, Broward NAACP attorney who had filed the suit, said it was basically a suit against Broward's freedom-of-choice method of allowing students to desegregate themselves. The court's ruling removes from contention many of the points made in his brief, he said.

But attorneys for the school board said they did not believe the Supreme Court ruling would hurt their plan of defense against Broward's desegregation timetable.

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Miscellaneous

Ernest Cook, a Daytona Beach Negro athlete with an "A" average, has decided to go to the University of Minnesota instead of Florida State University because, he said, he has received several "abusive" letters.

Cook had indicated in December he would go to FSU, where his ability as a fullback was being counted on by the football coach. However, Cook, who will study pre-med at Minnesota, changed his mind after he and his mother and father each received letters. Mrs. Ernest Cook, his mother, said the letters "weren't actually threatening, physically, but they were abusive and carried implications."

Mrs. Cook is employed in a Daytona Beach elementary school and her husband is chief accountant for Bethune Cookman College.

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GEORGIA HIGHLIGHTS

The U.S. Supreme Court decided against freedom-of-choice school desegregation plans, and the ruling so incensed Gov. Lester Maddox that he ordered all flags on state property in Georgia flown at half-mast.

State School Supt. Jack Nix said he did not think the decision will have a significant effect on school systems in Georgia, and the attorney for the Atlanta system, biggest in the state, said the same thing.

Atlanta Supt. John W. Letson, meanwhile, responded to a HEW threat to take a look at big city systems in the South, like Atlanta, and prod them to desegregate faster, by saying he was puzzled as to "what HEW may expect us to do that we aren't doing already."

An NAACP chapter challenged DeKalb County's compliance with federal desegregation requirements. Troup citizens argued for guidelines. Rome school officials said their system would attempt to meet requirements. Wilcox County's board of education voted to continue a freedom-of-choice plan despite a threatened loss of federal school funds. And Walton schools were in danger of losing both federal and state funds.

Complaints that desegregation had caused Negro educators to be treated "unfairly and unethically" were to be investigated by a National Education Association legal team.

In Atlanta, a federal judge ordered notice filed with his court 30 days before acquiring land for a school so plaintiffs in a desegregation case can object before it is too late if they desire. In Macon, suspension of two Negro teachers during racial unrest at Social Circle was upheld by a federal court. And in Savannah a U.S. district court judge ruled against a Negro teacher's contention that she was fired because of racial discrimination.

GEORGIA

Schoolmen

Gov. Lester Maddox on May 28 ordered all flags on state property lowered to half-mast in mourning of the U.S. Supreme Court decision barring freedom-of-choice school desegregation plans. The governor accused the nation's highest court, the Congress, and the president of being "soft on communism and weak on Americanism." He said there are leaders from the national to the local level who "haven't got the guts to stand up for what's right" and who are "saying let's do what the Communists say."

Maddox issued an official proclamation requiring state and U.S. flags at state government facilities to be flown at half-staff from Tuesday morning until sundown on Wednesday. Calling a press conference outside the west entrance of the capitol, the governor launched into a tirade over the court decision of May 27 and personally lowered the capitol flags. The ruling may cause Georgia school officials to revise desegregation procedures in their various systems.

William J. Page, Southeastern regional director for the Department of Health, Education and Welfare, said the decision means that all school districts relying on freedom-of-choice plans will be forced to prove that desegregation is taking place according to the dictates of the Civil Rights Act of 1964. Noting that school administrators in the state "will not be surprised" by the decision, Page said local desegregation plans will have to be examined and revised to avoid the fate in New Kent County, Va; Jackson, Tenn.; and Gould, Ark.

State officials were unable to pinpoint the exact number of school systems in Georgia that are using freedom-of-choice plans, but Page and State School Supt. Jack P. Nix said flatly that no systems are relying solely on the controversial method. Supt. Nix said he does not think the high court's ruling will have a significant effect on any of Georgia's 195 school systems. He said the wording of Monday's decision is almost identical to HEW desegregation guidelines already in effect in the state.

"We will encounter certain problems with desegregation in some of our systems regardless of whether the method used is freedom of choice or one in which administrators assign pupils to schools," Nix said.

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The state superintendent said officials will encounter most of their problems with desegregation of schools in the southern half of the state because the largest concentration of Negroes exists there.

Southern schools are required by law to follow HEW guidelines calling for the complete desegregation of public schools by the start of the 1968-69 school year. Schools that do not comply with HEW regulations will not receive federal funds for the coming year.

Officials of the Atlanta schools said they could foresee no changes in the biggest system in the state as a result of the court ruling or of revised U.S. Department of Health, Education and Welfare policies. A. C. Latimer, attorney for the Atlanta Board of Education, said that the latest Supreme Court decision appears to be merely a reiteration of one rendered in March, 1967, by the Fifth Circuit Court of Appeals in New Orleans.

He said that since the Atlanta board "adopted the philosophy" of the lower court decision, he believes that the decision will have no bearing on schools in Atlanta. In his opinion, he said, the new high court decision does not upset or throw out freedom-of-choice desegregation plans any more than that of the lower court.

"The Fifth Circuit Court of Appeals held that the freedom-of-choice plan was all right if it worked--that is, if it achieved more and more desegregation," Latimer said. "The Supreme Court, it seems to me, has pretty much adopted that case."

Supt. John W. Letson meanwhile said that he is unfamiliar as yet with any plans HEW may have to speed up desegregation of big-city Southern school systems, which, like Atlanta, are complying with court orders to desegregate. This was in response to an inquiry about his reaction to an announcement in Washington by Mrs. Ruby Martin, director of the HEW Office of Civil Rights. Mrs. Martin said HEW will take a look at systems like Atlanta and prod them to desegregate faster.

"I am puzzled as to what HEW may expect us to do that we aren't doing already," Supt. Letson said. "If there is something HEW thinks we should be doing, they should at least advise us what it is."

"I know many people would like to see things accomplished that are not now being accomplished, but I see no way of getting these things done except with a magic wand that no one possesses." The Atlanta superintendent said he sees no "ultimate solution" to the problem of segregated schools as long as current population shifts and trends in Atlanta persist. These, he added, result in de facto segregation.

Georgia-3
May, 1968

A desegregation crackdown against laggard big-city school systems in the South was announced by Mrs. Martin. "Many of these large systems are operating under a court order," she said. "One has been monitoring them. But we will be looking into them starting in August."

* * *

A survey released by HEW May 27 showed progress in Southern school districts using voluntary desegregation plans to be nearly double that of districts operating under federal court orders. School districts with voluntary plans reported 18.9 per cent of their Negro students in desegregated classes this year. Court order districts averaged only 9.5 per cent desegregation.

Georgia has 10 school districts, including Atlanta, under a federal court order to desegregate. The HEW survey showed four unnamed Georgia court-order districts averaging 6.9 per cent of their Negro pupils in integrated schools.

Meanwhile, 125 Georgia districts operating under voluntary plans reported an over-all average of 13.5 per cent desegregation for Negro pupils.

Georgia ranked seventh among the Southern states with 9.6 per cent of its Negro students in desegregated schools. Texas placed first with 26.1 per cent and Mississippi was last with 3.9 percent.

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The DeKalb County chapter of the National Association for the Advancement of Colored People challenged DeKalb school officials on whether the county system is complying fully with federal requirements for desegregation. In a statement signed by Chapter President Charles E. Price, and sent to DeKalb School Supt. J. N. Cherry, the DeKalb NAACP charged that the school system's pace of desegregation is too slow and that Negroes are having to make most of the adjustments involved in desegregation.

It suggested that school officials revise several alleged practices in desegregating schools, including busing students to schools outside attendance zones and closing down all-Negro schools. The NAACP statement also charged that attendance zones are being drawn "to throttle the stated objective of eliminating race as a factor in the assignment of students to schools."

It said new schools are being opened in the same geographical areas served previously by Negro schools, which have been closed or are now threatened with closing. As an alternate plan, the NAACP suggested placing white students in previously all-Negro schools and drawing attendance zones to equalize the Negro and white population.

Georgia-4
May, 1968

"Sound judgment seems to dictate that the 1964 Civil Rights Act should not be interpreted to mean that all adjustments for compliance must be made by Negroes," the statement said.

Price, assistant dean of Morris Brown College, said the DeKalb school system is getting federal assistance while there is some doubt that it is moving with "deliberate speed to comply with federal requirements."

* * *

An angry delegation of seven Troup County citizens took their arguments against federal school desegregation requirements to Washington. The delegation, informally led on May 29 by A. W. Birdsong Jr. of LaGrange, protested Department of Health, Education and Welfare (HEW) desegregation demands for the separate LaGrange and Troup County school systems. The citizens group met with Sens. Herman E. Talmadge (D-Ga.), and Richard B. Russell (D-Ga), and Sixth District U.S. Rep. John J. Flynt Jr. (D-Ga.).

The delegation presented the senators and Rep. Flynt with a petition which they said was signed by 14,000 of the 18,000 registered voters in Troup County. Rep. Flynt's office attempted to set up a meeting with President Johnson and HEW Secretary Wilbur Cohen. But an aide to the congressman said they would probably have to settle for sessions with representatives of the president and Mr. Cohen.

The school controversy began early in May when staff members from the HEW Office of Civil Rights visited LaGrange for a public meeting on local school desegregation. Birdsong said that the OCR staff insisted the LaGrange city system consolidate all students in grades 7-9 into East Depot High School, a predominantly Negro school. LaGrange High, a predominantly white school, would be made the city's only senior high.

"We are very disturbed," Birdsong said. "We feel that HEW has come into LaGrange and in about a day and a half destroyed a school system we had been building up for years." Birdsong said that LaGrange has invested \$15 million during the last 14 years to construct one of the outstanding school systems in the South. The HEW suggestions would result in closing the Hollis Hand Elementary School, a predominantly white facility built three years ago at a cost of \$1 million, he said.

"Segregation and integration has nothing to do with our opposition," Birdsong said. "Not one instance of freedom-of-choice violation has occurred in LaGrange."

Georgia-5
May, 1968

Sens. Russell and Talmadge heard the complaints and assured the group they would do everything possible to help. However, Sen. Russell stated early in May: "In frankness, I cannot offer any hope for a change (in desegregation guidelines) until there is a change in attitude on the part of the administrators of the program," as well as a major change in congressional attitudes.

Birdsong said that the community has formed a movement called "Citizens for Freedom" and claimed a membership of 10,000.

* * *

The Rome Board of Education said it will meet Health, Education and Welfare desegregation requirements through construction, and faculty and student integration. The board said May 21 it will submit a plan before Sept. 1 for a bond issue for construction of larger desegregated schools thus phasing out the smaller neighborhood institutions. Plans also call for the elimination of the all-Negro Main High School and transferring of students and faculties to other schools.

The board said members of HEW's staff who reviewed the city's program in April failed to visit eight of the schools.

* * *

The Wilcox County Board of Education has voted to continue a freedom-of-choice desegregation plan, despite warnings from the Health, Education and Welfare Department that the system will lose its federal funds if changes are not made. Meeting in a called session, board members on May 13 heard a large group of citizens protest further desegregation speedup. The group said they would prefer to lose federal funds.

Specifically, HEW has expressed concern that the freedom-of-choice plan has not brought about desegregation. HEW has advised Wilcox officials that students at an all-Negro school in Abbeville must be enrolled in a white school there, rather than given a choice of Abbeville or a predominantly Negro school in Rochelle.

The Wilcox board countered, in an answer to HEW, that the system now used had made progress. The board said the plan in operation for three years, had progressed from seven Negro students transferred the first year to a proposed 38 this fall. A board official said "this indicates a positive trend."

Georgia-6
May, 1968

The Wilcox system had been questioned by HEW concerning the placement of Negro and white teachers. The board has answered HEW, saying that a like number of Negro students (as taught at the closing Negro school) will be assigned to predominantly white schools.

HEW has advised Wilcox County that all federal funds for the school system will be lost this fall if changes are not made in the system.

* * *

The Walton County Board of Education, which already has been threatened with a cutoff of federal school funds, has voted against a consolidation program, which officials say may also cause state funds to be stopped. By a vote of 4-3 the board decided on May 14 against the immediate consolidation of Loganville High and Good Hope Elementary schools with the Monroe schools.

Supt. Garfield Wilson said the action may stop state funds because of a contract that calls for the consolidation by the fall term. Previously, the Department of Health, Education and Welfare threatened to hold up some \$333,000 unless federal officials become satisfied with the county's desegregation plan.

Walton County has been the site of protest demonstrations at both Social Circle and Monroe. "It will cost the taxpayers of Walton County \$90,000 to operate those two extra schools next year," Wilson said. He also noted next year's budget will have to be revised because of the board action.

* * *

A team of National Education Association lawyers will come to Georgia early in June to investigate complaints that the state's Negro educators have been "unethically and unfairly" treated as a result of desegregation. Dr. Sam M. Lambert, executive secretary of the NEA, said he has been told "Negro principals are never used in integrated schools if there is any significant number of white students."

Dr. Lambert said the complaint was officially made by the Georgia Teachers and Education Association (GTEA), a predominantly Negro group. It is the first such complaint received by the NEA, Dr. Lambert said. "I do not know whether it is true. But we will conduct a preliminary inquiry to see if the evidence justifies a statewide investigation, court action, or both," he said.

Georgia-7
May, 1968

Dr. Lambert announced the investigation after a meeting in Atlanta between himself and Dr. Horace Tate, executive secretary of the GTEA. Spokesmen for the GTEA say they will present 20 to 25 cases to the NEA preliminary investigating team. The cases all involve Negro administrators who have been "demoted, dismissed, or transferred" once school systems are integrated, the spokesmen say.

The investigation will involve two or three NEA lawyers, and a similar number from the GTEA. The white Georgia Education Association has been invited to participate. Dr. Lambert stressed that the investigation would only determine the truth of discrimination charges based on the cases to be presented by GTEA.

GTEA spokesmen say the cases will mostly come from North Georgia, where they say a standard response to integration orders has been to close Negro schools and operate only formerly all-white facilities. In such cases, the GTEA charges, the former Negro principals are never retained in their previous capacities, even though they may be better qualified than the remaining white administrators.

Dr. Lambert said that if the GTEA charges seem warranted, a larger investigation would be mounted over all the state to seek out similar cases. After that, he said, the NEA would decide what action to take. Possibilities are court suits, sanctions or formal protests.

* * *

Legal Action

The Atlanta school system was ordered May 10 to file notice with the federal district court 30 days before acquiring any land for a school. The notice of site location would be required so that plaintiffs in the school desegregation case can object before it is too late if they desire.

U.S. District Judge Frank A. Hooper issued the amendment to his final order in the latest round in the school case, which has been in court for almost a decade already, requiring that a full description be included so that the land could be identified.

The latest attacks on the Atlanta school desegregation plan have dealt largely with the placement of school buildings, which plaintiffs have contended were chosen to maintain and perpetuate the dual school system. Judge Hooper has already ordered the Jefferson decree, the standard school desegregation order issued by the U.S. Fifth Circuit Court of Appeals in an effort to provide uniform decrees, throughout the Southeast. That decree requires affirmative efforts to end the vestiges of dual systems, including particularly the placement of new buildings so that they will likely be integrated.

2

Georgia-8
May, 1968

Atlanta school officials have contended that when they choose a site in a mixed area it goes all-Negro before a building can be built or shortly thereafter. They also have contended that the great need for new schools is in all-Negro areas where higher birth rates and in-migration produce far denser concentrations of school children.

The other area of need is in new suburban areas, which tend to be all-white, school officials assert, and argue that to build anywhere but in these pressure areas would violate the neighborhood school policy aimed at keeping elementary schools within walking distance of the children that attend them, feeding each high school from several of these elementary schools.

Several recent cases have been brought challenging the location of new schools in all-Negro neighborhoods, but all have ultimately been dismissed.

Judge Hooper's amended final judgment notes that the court of appeals has in some instances ruled that objections to construction of a new school were made too late when the building was virtually an accomplished fact. Last year the Fifth Circuit virtually instructed one of the attorneys seeking to block the location of a school in an all-Negro neighborhood to go through the original school case rather than through separate action.

Judge Hooper's order notes that while the notice must be given 30 days before acquisition of school land so plaintiffs may object to the location at that time, "all other objections, however, may be made if and when defendants are attempting to violate the provisions of the Jefferson degree," in other ways, such as failing to properly desegregate faculties and activities, or other aspects in which they might fail to take affirmative action to end all vestiges of the dual system.

* * *

In Macon, the suspensions of two Negro teachers during racial unrest at Social Circle earlier this year were upheld by U.S. District Judge W. A. Bootle. Injunctions have been denied both a group of Negroes and city and county officials in connection with the demonstrations. The complaints were filed during demonstrations protesting conditions at the Social Circle Training School by a group of Negroes who also asked reinstatement of Lillian Hill and Allie Bell Norris. A third teacher was also suspended but did not seek reinstatement.

Georgia-9
May, 1968

Bootle said the teachers failed to prove their case after contending they were suspended "simply because they insist upon exercising free speech in regard to racial matters." He also denied the plaintiffs' request for an injunction preventing interference with the rights of free speech and rights to attend all-white schools in Walton County. Bootle said the county already has an approved desegregation plan.

In a countersuit, also denied by Bootle, city and county officials asked for an injunction preventing interference by demonstrators with "the peaceful operation of the Walton County schools."

Bootle said in denying the reinstatement of the two teachers, "the court finds that they were suspended not because they protested or desire to protest further, but because they left their classrooms during teachers' hours and, moreover, firmly refused to return at the direct instruction of Supt. G. W. Wilson."

One of the teachers had contended that elementary pupils of the school had been used as janitors, cooks and substitute teachers and that the school had insufficient equipment and textbooks. Dozens were arrested during boycotts of Social Circle stores as well as two schools.

* * *

In Savannah, U.S. District Judge Frank M. Scarlett ruled against Mrs. Lillian Scott in the Negro school teacher's effort to force her reinstatement by the Chatham County Board of Education. Judge Scarlett ruled that the board acted on "sound educational reasons" and "within the utmost good faith" in upholding Mrs. Scott's dismissal from her job as a social science teacher at Scott Junior High School.

Mrs. Scott, who had taught in the system for 17 years, charged that she was a victim of discrimination. School officials had recommended her dismissal on the grounds that she was no longer able to maintain classroom discipline and displayed instructional deficiencies.

Judge Scarlett said a hearing on the case produced no evidence that the Chatham board was "capricious, arbitrary or discriminatory..." in its dismissal of Mrs. Scott last year. The board, he said, showed undisputed evidence that Mrs. Scott was "no longer competent to teach and capable of maintaining discipline in the classroom."

Georgia-10
May, 1968

Mrs. Scott, wife of Wilton C. Scott, public relations director at Savannah State College, had indicated previously that she intended to carry her case to the U.S. Supreme Court if necessary.

Judge Scarlett said in his ruling that testimony during the hearing on May 1 showed several other veteran teachers, both Negro and white, were declined new contracts for the 1967-68 term. Only Mrs. Scott took her dismissal to court. The case, Judge Scarlett said, did not involve teacher civil service or tenure laws. Mrs. Scott had obtained the support of the Georgia Teachers and Educational Association in her unsuccessful appeals to the Chatham school board and the State Board of Education.

#

KENTUCKY HIGHLIGHTS

The Louisville Board of Education agreed to build a new school to replace a 115-year-old structure where parents complained of inadequate facilities.

A plan to racially balance enrollment between an existing school and a new school in Louisville was rejected after white and Negro parents objected.

State Department of Education ordered high schools to teach Negro and minority-group history.

Riot, followed by vandalism and looting, broke out in Louisville after a meeting called to demand the dismissal of a policeman accused of using excessive force in arresting two Negroes.

#

Kentucky-1
May, 1968

KENTUCKY

Schoolmen

The Louisville Board of Education agreed to build a new school by June, 1969, to replace the 115-year-old Samuel Coleridge Taylor School, where parents had complained of inadequate facilities. But Supt. Samuel V. Noe said the new school could not be planned and constructed in time for opening next fall, as the parents wanted.

The parents protested that children were "being damaged for life through their early experience in a 115-year-old building" and contended that part of the new school--enough to handle current enrollment--could be built by fall. Nearly all of the 478 children who are enrolled at the Taylor School are Negroes.

The school board said the new Taylor school would have a capacity of 900 pupils to handle the children of families in a proposed Urban Renewal apartment project to be built on land that has been cleared since before 1965. The project, however, was still bogged down in financial problems and had not been started.

As a temporary solution, the school board offered to close the present Taylor school at the end of the current year. Children would be transported to another old school about nine blocks away. That school was in temporary use by pupils at yet another school which was being remodeled.

* * *

The state Board of Education voted to order the teaching of Negro and minority-group history in senior-year American history courses in high schools across Kentucky. The state Department of Education had been working for more than a year to prepare a unit concerned with prejudice, Negro history and contributions, and related matters, in an effort to encourage local school districts to cover such topics in their lesson plans. These materials, expected to be ready by September, could be used in meeting the new requirement.

The state board said that any school that failed to teach Negro and minority-group history would be considered "deficient," a factor that could be considered along with others in school accreditation.

* * *

Kentucky-2
May, 1968

A mixed group of Negroes and whites met three top city school officials in Louisville and criticized the cost of textbooks, school physical facilities, the absence of courses in Negro history in the curriculum, and the ability of teachers, among other things. One parent received a round of applause when he complained that his 10-year-old child's reading ability was far below what one might expect of a third grader. A poverty program group represented at the meeting submitted a petition calling for more communication between residents and the school board, more vocational and adult education courses, and for an investigation of the way the school system handled its finances.

A few days earlier, after action by the state Board of Education, the city school system announced that a one-semester course on "The Negro in American Culture" would be offered in all city high schools next fall.

* * *

A plan to set up a racially balanced enrollment in two city schools was killed by the Louisville Board of Education after white and black parents objected to splitting elementary grades between the two schools. One board member, Negro lawyer Neville Tucker, who had championed the balanced enrollment plan, at first said he would resign from the board because of the parents' views, but later changed his mind.

Under the balanced-enrollment plan, which was offered by Supt. Samuel V. Noe, children in grades 1-3 would have attended one school, and children in kindergarten and grades 4-6 would have attended the other.

The problem of drawing boundaries for the two schools came up in connection with the opening of one of them, the new Martin Luther King Jr. school, set for next fall. Instead of dividing the grades between the schools, the board adopted a plan to create two attendance districts with approximately the same racial percentages.

The balanced-enrollment plan was attacked by parents on the grounds that it would have meant longer walks for children, split-up families, inconvenience to parents, and weakened parent-teacher groups because of divided loyalties between the two schools.

Tucker then rose to say, "I've never been more heartbroken in my life. It has been one of the major disappointments of my life to see black parents come to the microphone and say some of the things that have been said here...It seems at this time all I've stood for has been repudiated." Then he left the meeting.

Kentucky-3
May, 1968

But a number of Negro leaders asked Tucker to reconsider his expressed intention to resign, and pointed out that if he did quit the board would be without a Negro member. The next day, Tucker returned to the board and took part in the voting on the attendance districts. Tucker said he hoped the board, which originally favored the balanced-enrollment plan, would "continue seeking answers to the separatism that plagues the public school system in Louisville."

* * *

In The Colleges

The Black Student Union at the University of Kentucky was said by its chairman, Theodore Barry, to have 45 members, which he said was about half the number of Negro students on the campus. The group was reported working with university officials on recruitment of more Negro students and athletes.

* * *

Political Action

Action on a proposed fair employment practices ordinance was deferred pending further study by the Louisville Board of Aldermen. Enforcement would be in the hands of the Louisville and Jefferson County Human Relations Commission, which earlier announced a study of alleged job discrimination in the construction industry and the building trades unions.

Statistics compiled by the U.S. Department of Labor showed that of 7,778 journeymen in nine building trades unions in the Louisville area, only 111 were Negroes. And of the 536 persons in apprenticeship programs in those unions, only 11 were Negroes.

An earlier analysis of 18 building trades unions in 1966 showed that of 7,132 journeymen, only 356 were Negroes, and more than half were in the Hod Carriers and Roofers Unions, both traditionally Negro dominated. By contrast Louisville and Jefferson County are about 13 per cent Negro in population.

* * *

Legal Action

The first suit testing the city's open-housing ordinance was settled out of court when a builder agreed to accept the advertised price of a home from a Negro couple. The house had been advertised at \$15,750 in the Louisville newspapers, but the couple reported that they were told there was a "prior option" on the property.

Kentucky-4
May, 1968

Their suit charged that the statement was untrue, and the Jefferson Circuit Court issued an injunction restraining sale or rental of the house pending an investigation by the Louisville and Jefferson County Human Relations Committee.

* * *

Community Action

A riot in Louisville on May 27 followed a meeting of Negro militants and others in a West End Negro neighborhood. The meeting was called to demand the firing of a police patrolman accused of using excessive force to arrest two Negroes earlier in the month. The riot was followed by four days of vandalism and looting, mostly in Negro neighborhoods.

The arrest of the two Negroes took place early in the month, when police stopped a Negro teacher who was driving a car that fitted the description of one believed to have been used in a drugstore theft. A Negro real-estate man, a friend of the teacher, intervened and protested the teacher's innocence. A fight ensued and the two Negroes were taken into custody.

Later, a police department board ordered the firing of the policeman who took part in the fight. Three other officers were reprimanded. But a city Civil Service Board hearing, conducted without the complaining witnesses, resulted in a recommendation that the fired policeman be rehired.

Mayor Kenneth A. Schmied, who would have the final say in the matter, refused to intervene at this point and many Negroes believed a radio station's erroneous report that the patrolman had been reinstated.

The meeting, arranged by two poverty-program workers, was billed as one which would be attended by Stokely Carmichael, and a large crowd showed up. Instead of Carmichael, however, a volunteer worker for the Student Non-violence Coordinating Committee spoke, and the crowd was told that city officials had prevented Carmichael from landing at the Louisville airport. In reality, Carmichael was miles away on the East Coast, and said later through a spokesman that he had never planned or intended to visit the Louisville meeting.

Kentucky-5
May, 1968

As the meeting broke up, some youths atop nearby buildings began throwing bottles. Police, arriving to investigate, were showered with bricks and glass. More police came and, as officers cleared the intersection where the meeting was held, looting and window-breaking began. A few fires were set. Window-breaking and looting spread a few blocks from the first battle and then began occurring elsewhere in Negro neighborhoods. Many of the victims were Negroes. A few hours after the first outbreak, National Guard units were mobilized and began patrolling in support of police.

Before the disorders sputtered to a close four days later, 11 Negroes had been wounded by gunfire, two fatally; 472 persons had been arrested; and damage was estimated at \$200,000. Not a single policeman or National Guardsman had been shot.

#

LOUISIANA HIGHLIGHTS

A pilot program to station police officers at troubled schools was adopted by the East Baton Rouge Parish School Board in a move to maintain order at certain Negro schools.

The Louisiana School Boards Association has agreed to support the St. Landry Parish School Board in its efforts to establish a yardstick for transferring teachers to schools of an opposite race.

The Washington Parish School Board, in the heart of Ku Klux Klan territory, voted approval of faculty integration in the fall for the first time since a federal court order.

Action on a permit sought from the city for construction of a school near the Baton Rouge airport, a controversy that has fueled racial tensions in the city, has been asked by the East Baton Rouge Parish School Board.

The real course for Negroes to take is to work within the present system, a board member of the Federal Reserve System told graduating students at Southern University in Baton Rouge, a predominantly Negro college.

In baccalaureate services, a Methodist pastor told Southern University students that neither black power nor white supremacy will guide a new America.

The use of education to fight poverty and discrimination has never appeared more favorable than today, an official of the U.S. Office of Education said in addressing the graduating class of Dillard University in New Orleans.

A mixed group of 18 white and Negro students at Louisiana State University, predominantly white, tried to desegregate eight bars that normally cater to LSU students, with many being refused service.

Reports on results of freedom-of-choice action in school assignments have been filed in U.S. District Court in Baton Rouge.

A decision by a special three-judge federal court on Houston, Texas school construction could have wide effects on programs in other areas where building programs are under attack as promoting segregation.

Highlights-2
May, 1968

The U.S. Fifth Circuit ruled unconstitutional a city ordinance against picketing, involving a dispute between Negroes and the West Baton Rouge Parish School Board.

Bishop Robert E. Tracy of the Baton Rouge Diocese pledged help to Negro citizens seeking more playgrounds at a Negro school in Baton Rouge in a move to curb delinquency.

The New Orleans chapter of the National Association for the Advancement of Colored People asked the school board to include multiracial textbooks and classes in Negro history in school curriculum.

A U.S. Department of Justice employe and a Southern University student were acquitted of traffic charges in Baton Rouge city court in action linked to Negro demonstrations following the assassination of Dr. Martin Luther King.

#

Louisiana-1
May, 1968

LOUISIANA

Schoolmen

The East Baton Rouge Parish School Board has established a pilot program to provide police protection at one Negro school and one white school to guard against "hooliganism." Both are junior high schools and the superintendent opposed setting up the program at the white school on the grounds there was no "felt need" such as existed at the Negro school.

The board voted 9 to 1, overriding staff recommendations on the controversial issue, to set up the program to control roving bands of youths who harass both pupils and teachers. The situation at the Negro junior high school was described as getting out of hand. Two policemen, one from the city police and one from the sheriff's department, were scheduled to be placed at the schools during the summer class period.

Supt. Robert Aertker said that he hoped the pilot program would eliminate the problem and indicated he felt the security measures should be ended when this occurs. One board member, Ben Peabody, said, "Unless we try it in a predominantly white school we won't have a good evaluation of the whole thing. We could have a cry of discrimination from the Negro people."

Aertker said he felt the board should wait until September, adding, "I feel we have lost control in this area (the Negro school)." Said Peabody, "Move in before you lose control. Even if they didn't do a thing, we'd have the experience." In urging the program at the Negro school, Aertker said that gangs had stopped students en route to school, had entered classrooms, struck teachers and robbed students.

* * *

The Louisiana School Boards Association agreed to join the St. Landry Parish School Board in an effort to establish a yardstick for transferring teachers of one race to schools of predominantly another race. A conference with U.S. District Judge Richard Putnam will be sought on the issue, according to Supt. Harvey Gardiner.

The school board said it could accept recommendations of three teacher groups concerning the transfer of teachers. The groups, one Negro and two white organizations, asked for extra pay for transferred teachers, use of first-year teachers for transfer under the white recommendations and use of teachers with experience under the Negro recommendations.

Louisiana-2
May, 1968

The teacher groups included the St. Landry Education Association, composed of Negroes, and the St. Landry Parish Teachers Association and the Classroom Teachers Association, both white groups. The parish school board has transferred teachers in 14 schools, one to a school in each of seven wards in the parish, in compliance with a federal court order.

* * *

The Washington Parish School Board voted 7 to 2 to approve faculty assignments for the fall school term in line with a federal court order. It will mark the first time in the parish, which is located in a hotbed of Ku Klux Klan activity, that faculties have been desegregated in public schools.

Teachers are being notified of the assignments by letter, which they are being asked to sign. This will act as a contract for their positions next school year. Teachers will have until June 7 to respond.

Under the desegregation plan an average of four Negro teachers will be assigned to previously all-white schools. Three white teachers will be assigned to previously all-Negro schools.

The school board also is receiving returns on freedom-of-choice applications by students. Judge Frederick Heebe of federal District Court, New Orleans, had suspended an earlier plan, which he devised, calling for desegregation on a zone basis rather than freedom of choice. He later amended his order to permit the choice situation provided that 20 per cent Negro enrollment in white schools would be achieved. He also ordered that 20 per cent of the teachers and staff in white schools be Negro and the same number for white teachers in Negro schools.

Judge Heebe ruled that in no case will choices of any school by any child in the system be denied except for overcrowding or to achieve the percentage of Negro enrollment required. He ordered that only the court could rule on the denial of a Negro child's application for white school entrance.

* * *

A permit for construction of a school at Ryan Airport community will be sought by the East Baton Rouge Parish School Board directly from the city-parish council. The school location, at the end of one of the runways, has been the center of a longstanding controversy that has generated racial tension among the Negro community.

Louisiana-3
May, 1968

Efforts have been made to extend the runway, which would jeopardize the school. Three earlier applications for the permit have been denied by the council. The school board has taken the position that there is no other suitable site in the community available for the school. It has been on the drawing board since 1960.

The city-parish government is attempting to find a new airport location following strong resistance by the mayor-president, who has cited racial problems that would ensue from enlarging the present field.

* * *

An 80-year-old Negro woman who had learned to read and write through Operation Upgrade, turned to her audience on graduation night and said, "I can read and I can write, thanks be to God." She took the program for two years.

* * *

The Livingston Parish School Board created a study committee to study upgrading pay schedules for coaches in parish schools, except for Negro coaches. The Livingston Parish Coaches Association estimated the pay raise would cost the parish under \$30,000, but did not list the Negro coaches because they are not members of the association.

* * *

In The Colleges

A change in direction for Negro college graduates was urged by Dr. Andrew Brimmer, member of the board of governors of the Federal Reserve System, in an address to Southern University students. He told some 430 candidates for degrees that the graduate should aim for employment in the white collar positions of private businesses and not choose "the same old professions." He said that 20 million Negroes cannot move out and form a successful all-black community.

"Negro graduates should stop looking for employment with the government and look toward the private sector," he said. He added that 15 per cent of all government employees are Negro. "The move to chase the white businessman out of the ghetto is an extremely dangerous course," he continued. "Our real course is to make the present system work and work for all of us."

* * *

Louisiana-4
May, 1968

A Methodist minister told Southern University students at baccalaureate services that neither black power advocates nor white supremacists will guide America. Rev. L. L. Haynes, pastor of the Wesley United Methodist Church, said, "These times demand masters of thought who will be responsible to save this country. I am sure many of you have had your low moments of shipwreck, but today this is a homecoming."

* * *

The use of education to fight poverty and discrimination has never looked more favorable, an associate commissioner for the U.S. Office of Education told Dillard University graduates. Dr. Peter P. Muirhead, Washington, D.C., said that the idea of a major national commitment to education was a dream four years ago when most of the 153 students were completing high school.

He said, "The United States has reached a watershed in its history. Education has never had a better box office in the Congress than it has in the last five years. Prior to that, federal aid to education was something of a rarity, something to cheer about in that the business of education was the nation's business."

* * *

A group of white and Negro students at Louisiana State University tested desegregation of bars in the vicinity of the campus that normally cater to LSU students, finding major resistance to their efforts. The group of five whites and 13 Negroes divided into smaller groups to visit eight bars in the area. Many of the owners refused the students service because they said white customers might cause trouble if Negroes were served.

One group was served but was asked to leave when the manager discovered Negroes were present. At another bar a bartender was quoted as saying, "I have a gun back here but I don't have but six bullets. I can only get six of them so you had better leave." An LSU law professor advised the students that bars are not covered in the Civil Rights Act.

* * *

Legal Action

Reports on freedom-of-choice results in three parishes were filed with the federal District Court at Baton Rouge, showing that at least two of the school systems will have two or more teachers of a minority race in each school. They are Ascension and West Baton Rouge parishes. The East Feliciana Parish report did not cover faculty desegregation efforts.

Louisiana-5
May, 1968

On student desegregation, the report for Ascension Parish showed that 72 Negro students chose formerly all-white schools. Four schools in the district will remain all white. Remaining all Negro will be six schools.

For West Baton Rouge Parish, the report showed that three formerly all-white schools will be desegregated with a total of 132 Negroes. All others in the district will remain segregated. Fifty-three Negro students will attend formerly all-white schools in East Feliciana Parish, according to the report.

* * *

In a split decision, a special three-judge panel in New Orleans ruled that a Houston, Texas, school construction program did not perpetuate de facto segregation. The decision could have far reaching effects on other school programs. There was sharp disagreement between the majority, Judge Richard T. Rives and District Judge Ben Connally, and the Minority, Judge John Minor Wisdom.

Wisdom accused his fellow jurists of sweeping the issue under the rug when they held that Negro students are not required to attend white schools and that "racial imbalance in a particular school does not, in itself, evidence a deprivation of constitutional rights."

* * *

The U.S. Fifth Circuit Court of Appeals ruled unconstitutional a Port Allen city ordinance striking at Negroes who picketed the West Baton Rouge Parish School Board building. The pickets had been protesting what they called "racist policies of the board."

The court said the limitations of the ordinance were unreasonable and the city had exercised its power in a way that unduly infringes on protected freedom by allowing punishment for the fair exercise of First Amendment rights. In its ruling, the court said the city "under the guise of regulating conduct reachable by the police power had permitted punishment for the expression of unpopular views."

* * *

U.S. District Judge Ben C. Dawkins Jr. in Shreveport said that freedom-of-choice school attendance plans in North Louisiana parishes will be reviewed during hearings this summer. He said he will accept evidence to determine if the plans should continue in the light of a U.S. Supreme Court decision striking down such plans in Virginia, Tennessee and Arkansas. The hearings will be held July 23 in Monroe and July 25 in Shreveport.

* * *

Louisiana-6
May, 1968

Community Action

Parents and faculty members of a predominantly Negro elementary school were promised help by Bishop Robert E. Tracy, head of the Social Action Department of the Catholic Diocese of Baton Rouge. In a meeting with representatives of the two groups, Bishop Tracy said that efforts will be made to help alleviate poor living conditions. Parents and teachers asked for help in obtaining more playgrounds, the construction of sidewalks so children can walk safely to school, and the covering of open ditches to remove hazards for children.

* * *

Miscellaneous

The New Orleans chapter of the National Association for the Advancement of Colored People asked the Orleans Parish School Board to include multiracial textbooks and classes in Negro history in the school curriculum. Concern about white racism reflected in biased textbooks was expressed by Arthur J. Chappital Sr., executive secretary of the chapter. He said he had also written the State Board of Education about the matter.

He estimated that 65 per cent of the students in the parish school system were Negro. He said that new textbooks would benefit "the total population of the Orleans Parish schools who will work, associate and live in a multiracial world."

* * *

An employe of the Department of Justice and a Southern University student, both of whom were charged with traffic violations, were acquitted in Baton Rouge City Court after it was disclosed they were stopped during demonstrations following the assassination of Dr. Martin Luther King. The two men are Kenneth Johnson of Washington, D.C., and Sidney Richmond. Both were stopped separately at the same time and accused of dragging and weaving in traffic.

#

MARYLAND HIGHLIGHTS

Black militants drowned out a Baltimore school board discussion of the competence of a Negro assistant superintendent.

Negro students have demonstrated at the University of Maryland and Maryland State College and received assurances of changes to come.

Continuation of freedom of choice was questioned in Baltimore city and Dorchester County following the Supreme Court's ruling.

Somerset County voters have defeated the bond issue that was to have expedited school desegregation.

The U.S. Naval Academy may appeal to higher authorities to block a desegregation move by the Anne Arundel County Board of Education.

Several new protests have arisen in Baltimore.

Baltimore's school system has begun a study of a possible shift to middle-school form of grade organization, believed an aid to desegregation.

#

Maryland-1
May, 1968

MARYLAND

Schoolmen

Nearing the close of its 14th school year of desegregation, the Baltimore school system had its harshest black-white confrontation in May when a school board meeting was terminated by the hoots and singing of Negro militants. The subject of the May 28 meeting was the community school program and its embattled director, John O. Hopkins.

A \$20,000-a-year assistant school superintendent since last August, Hopkins has complained that the development of year-round community services at designated public schools was being shackled by the educational establishment. His detractors, on the contrary, have asserted that Hopkins turned away offers of co-operation and sought to create his own empire within the school system.

Only the two Negro members of the school board were permitted to speak without interruptions at the meeting to discuss the community school program. Dr. M. Thomas Goedeke, who attempted as acting school superintendent to read a report critical of Hopkins, and Francis D. Murnaghan Jr., board president, were repeatedly drowned out by freedom songs, chants of "black power" and loud comments, such as "We're taxpayers, too, baby."

The school board had a second all-day closed meeting on May 31, attended by the incoming superintendent, Dr. Thomas D. Sheldon, who flew down from his present superintendency in Hempstead, N.Y., for the occasion. It was agreed to let the community school issue rest until after Dr. Sheldon had taken command on July 1.

The Baltimore school board has had confrontations with white protest groups on past occasions, but the racism has been only an undercurrent as whites have opposed "lowering education standards" or breaking faith with "the neighborhood school concept." But in the group assembled to defend Hopkins the racial nature of the protest was made manifest by such slogans as "black is beautiful," "we reject white-dominated education" and, the most unusual of all in Baltimore, "Yankee go home."

Similar themes were repeated outside of the May 31 meeting by pickets who said they represented a new group called Afro-Americans Concerned about Education. They handed out flyers which read in part: "Tuesday night the white racists tried to fire John O. Hopkins, a black man who is head of the community school program. The black members of the school board along with a large turnout of black people prevented the racists from firing him Tuesday night, but the racists will try again Friday morning [May 31]."

Maryland-2
May, 1968

One school board member, William D. McElroy, told the Baltimore Evening Sun that if the school board had voted the previous evening, it would have been 5 to 2 or 4 to 3 in favor of firing Hopkins. A member of the Johns Hopkins University faculty, Dr. McElroy said, "It's clear that Mr. Hopkins hasn't been interested in working with the assistant superintendents on such matters as curriculum... He won't work with the principals. He just wants to take over."

Hopkins himself in a report made public on May 31 said that the primary obstacles to the community school program were inadequate financing, staff and public information and no final determination of the lines of responsibility. Hopkins has sought full responsibility for schools designated as community schools, removing them from the jurisdiction of the elementary and secondary school administrative divisions, and also wanted a \$14 million budget. The school board left the jurisdictional issue to Dr. Sheldon and limited the community-school budget request to \$1 million.

A part of the build-up toward the May 28 blowup was a school board cancellation of a meeting Hopkins had called of his citywide "advisory force." A school announcement dated May 7 said that what had been scheduled on May 9 as the initial meeting of the task force had been called off, "due to the need for additional time to clearly define the administrative structure under which the community schools will operate...."

Some members of the task force said they would hold the meeting anyhow, in a church rather than in the previously scheduled school. Invitations were extended to about 160 persons, about 50 of whom showed up, with some in African-style attire. Hopkins said in advance he would not be there. "It was decided for me," he told the press.

The highlight of the unofficial task force meeting was the reading of a letter, dated April 9, which Hopkins had written to Murnaghan, the school board president. In it Hopkins had called for a strong expression of school board support for community schools to overcome "the petty personal interests" trying to obstruct their development. Hopkins wrote:

"The degree of unprofessionalism, bigotry and narrow provincialism which has been manifested by some in the school administration with respect to planning and implementation of the program is shameful for persons who should be operating in the public interest and with the highest degree of professionalism."

Maryland-3
May, 1968

Early in May at a Baltimore high school Hopkins spoke at a predominantly white faculty meeting and, according to subsequent reports of those present, said he was "glad" he was black and asserted that white teachers could not communicate with Negro students. In a letter published in The Sun of May 3, Irvin L. Finifter, an art teacher, complained that Hopkins had "employed the techniques of the very same racism that he purportedly is so strongly against" and had "done more to discourage, demoralize and divide what was once a solid faculty....than anything I have ever witnessed before."

The vice-principal of the school, Mrs. Margery W. Harriss, in a letter to Hopkins, which was quoted extensively in the Baltimore News-American of May 6, said he had allowed his "personal bigotry and animosity toward white people to taint" his remarks. Another teacher, Stella C. Gersuk, wrote to School Board President Murnaghan that "Mr. Hopkins sneered at the whites among the faculty and at whites in general; he laughed at the suggestion (stated by him) that white teachers think they are really teaching."

Hopkins in a subsequent letter to The Sun expressed regret that his remarks had been taken personally but said he hoped "there was enough substance in the two-hour presentation to insure that every teacher and administrator in the audience was led to review in depth the special responsibilities of educators to prevent the often subtle but insidious virus of racism from infecting the minds and behavior of the students..."

Acting School Supt. Goedeke announced on May 6, after an investigation, that Hopkins's remarks were not addressed specifically to teachers in his audience but to "problems of the nation as a whole and the nation's urban centers as a whole." The school where Hopkins spoke, Edmondson High School, has more than 90 per cent Negro enrollment but the staff is about two-thirds white, which is an unusually high degree of white-teacher involvement in a predominantly Negro city school.

Currently six secondary schools in Baltimore are designated as community schools, and there are to be an additional four in the new budget year. In none of the extensive reports of Hopkins's remarks has there been a detailed explanation of his program or what he has been stopped from doing.

* * *

In The Colleges

Negro rights and aspirations continued in May to evoke demands and responses on Maryland campuses. To take the largest institution first:

Maryland-4
May, 1968

Dr. Wilson H. Elkins, president of the University of Maryland, announced on May 27 that the university was seeking more Negro faculty members, working extensively to enroll 30 full-time Negro students from disadvantaged backgrounds, considering the addition of courses in Negro life and culture and reviewing the constitution and bylaws of all fraternities and sororities to root out discriminatory clauses.

"I assure all who are interested and concerned that the University of Maryland is opposed to discrimination against any group or individual," Dr. Elkins said in a statement issued "in response to questions raised by students and faculty members pertaining to opportunities for Negroes."

Two weeks earlier two separately worded faculty petitions had been submitted to Dr. Elkins. One, signed by 142 faculty members, endorsed a previous call by campus members of the Congress of Racial Equality for more "black participation" in university life and for a "blanket statement" by the university saying that discrimination would not be tolerated by the administration.

The other petition, signed by 32 faculty members, called upon the university "to take positive steps to help bring about complete equality of opportunity for black people both within and outside the university community." The second faculty group would not support CORE by name, as the first group had, because 50 or 100 CORE supporters had disrupted Dr. Elkin's April 24 convocation address in a noisy attempt to air their grievances. The student demonstrators were ejected from the field house.

More serious trouble brewed briefly at the University of Maryland's predominantly Negro branch campus on the Eastern Shore, known as Maryland State College. Located at Princess Anne in a depressed, tidewater county, the college has been subject to student unrest for several years but gained fresh prominence on May 17 when Col. Robert J. Lally, head of the state police, announced an impending student plot to seize a legislative delegation on tour of the campus.

A party of nine legislators and nine other state officials toured the college that day without incident, amid student denial of any plans to seize them as hostages. Col. Lally, who had a contingent of troopers standing by, said afterward, "We're glad nothing happened, but why it didn't happen remains to be seen." That was the last heard on the subject.

The legislators tended to be shocked at what they found. "It's a crime that the University of Maryland hasn't done more than it has down here," State Sen. John J. Bishop Jr., (D-Baltimore County) said. "It couldn't have done worse."

Maryland-5
May, 1968

Del. Walter S. Orlinsky (D-Baltimore city) was quoted as saying, "It is perfectly clear that, among other things, the state is committed to maintaining a racially segregated college system."

The committee chairman, Sen. William L. Hodges (D-Baltimore City), a veteran legislator, referred to the college as a "stepchild" and said, "Something has to be done about it."

Student unrest broke out for real on May 18, following an incident of refusal of service in a Princess Anne eating place, but the demonstrations were peaceful. About 200 students marched through the town's business street with signs protesting discrimination on the evening of May 18. On the 20th about 500 marched to the town bank while 100 withdrew their deposits, and on the 21st about 500 staged a mock funeral for "the death of injustice" under the town's one traffic light.

In a surprise move, Gov. Spiro T. Agnew, who previously had taken a hard line against meeting with student protesters at Bowie State College, invited a student delegation from Maryland State to come see him on the afternoon of May 21. During a 90-minute talk the governor assured the students of some physical improvements at the college and said his staff would begin immediate talks with the "political and economic community" in Princess Anne to eliminate discriminatory practices.

The governor described his talk with the student delegation as "one of the most productive I've ever been in." He added, "My faith in the young people of this country has been restored." A student leader, Rotan E. Lee, said, "We have achieved our goals, and we are very, very pleased with the outcome of the talks." Lee said there would be no more demonstrations.

At Bowie State College, scene of a Negro student takeover in late March, quiet prevailed in May as the trials of 225 students arrested at a "study-in" at the State House were postponed, pending a test case. Gov. Agnew revealed early in the month that he was seeking information from an NAACP youth director, Kenneth R. Brown, who had said that the takeover at Bowie was a diversionary tactic to take the heat off a student plan to burn the college down.

At Johns Hopkins University on May 17 there were two gatherings of students, one white and the other Negro, to voice support of the Bowie students who had been arrested at the State House while seeking an audience with Gov. Agnew. At the white meeting, about 150 students and a few Hopkins faculty members heard speakers espouse the Bowie students' cause.

Maryland-6
May, 1968

The Negro meeting, about the same size but in a different place, consisted of students from Hopkins, Bowie, Goucher College, Morgan State College and Coppin State College and resulted in the formation of the Maryland Student Black Coordinating Committee. The few whites in the audience left after objections were raised to having "the enemy" in the room. The tenor of the meeting was a militant disavowal of Agnew and other white leaders "who only seek to perpetuate the mass oppression of black people."

Protesting Negro students at Coppin State College, who had staged mild walkouts in April, met on May 2 in an appeal for community support in their efforts to obtain more state funds for their small campus, located in Baltimore. More than 100 persons turned out, but no members of the Board of Trustees of the State Colleges, who had been invited. The students vowed they would act responsibly and exhaust all peaceful remedies before trying stronger measures to improve their college.

Coppin, Bowie and Maryland State have all been labeled as "segregation hangovers" by the Baltimore Sun, which has taken the editorial position that "a few plant improvements may eliminate some of the immediate sources of dissatisfaction, but if the three colleges remain essentially Negro colleges they have a limited future."

* * *

Legal Action

Baltimore's city solicitor, George L. Russell Jr., announced on May 28 that he was opening an immediate investigation of city school desegregation, following a Supreme Court decision that cast doubts on freedom-of-choice policies such as prevail in Baltimore. Russell told reporters later the same week that he was going into the matter of the city's extensive de facto segregation in depth and promised a "blistering" report.

A week later, on June 4, Russell said the investigation had been halted. He said that his office acts only on the request of a city agency, and "no one has asked me for an opinion that would start such a probe." No other explanation for calling off the study was offered. Alexander Stark, who heads the City Council's education committee, criticized Russell's backing off and said he would consult with school officials to see who would make a formal request of the city solicitor's office to determine the effect of the Supreme Court decision on Baltimore schools.

Several study groups in the past have concluded that little could be done to break up the heavy concentration of Negro or nearly all Negro schools in Baltimore without an exchange of students with the outlying, predominantly white Baltimore County school system. The county has been strongly opposed to any exchange, but a slight change of attitude occurred on May 10, when William S. Sartorius, Baltimore County's school superintendent, said he would meet with Baltimore's new superintendent, Dr. Sheldon, after July 1 to "discuss the possibilities" of a limited exchange.

J. Paul Tonetti, advisory specialist for civil rights in the Maryland Department of Education, said on May 27 that the Supreme Court's ruling on free choice would have most "relevancy" in Maryland for Dorchester County, which has less than a third of its Negro pupils in schools with whites. The president of the Dorchester school board, T. Reynolds Carpenter, was reported on May 28 as saying the county was considering a central high school for white and Negro students but had no plans under study to further the desegregation of elementary schools.

* * *

Political Action

Somerset County voters on May 14 defeated a \$2.6 million bond issue that was to have financed construction of a new high school as part of a countywide desegregation plan. The vote was 3,105 against the loan and only 1,518 for it.

John L. Bond, the county school superintendent, had said in advance that the county would have to desegregate its six small high schools by September, 1970 whether the bond issue passed or not. The county school system had been ordered to desegregate extensively this September and completely by 1970 under a directive from the Maryland Board of Education. The state directive came after Somerset had had its federal education funds deferred for lack of civil rights compliance.

Although no opposition to the loan had taken organized form, Bond said after the defeat that "there was a pretty good campaign by word of mouth." On the same day throughout Maryland as well as in Somerset County, voters turned out to defeat a new state constitution which had been under conservative attack as a "liberal" document. A county political observer linked the two negative votes, saying, "They were just prepared to vote against anything."

* * *

Maryland-8
May, 1968

City councilmen were at loggerheads in Baltimore's Second Councilmanic District, which is evenly divided between white and Negro voters. Councilman Robert L. Douglass Jr., a Negro, accused two white members of the district delegation of delaying school construction by trying to have a new school site shifted to a white residential section.

Councilmen Joseph V. Mach and Clement J. Prucha denied the charge of delay and said, "Obviously, Councilman Douglass is trying to railroad through an expensive school-building budget which will cost the taxpayers hundreds of thousands of dollars, while ignoring the wishes of the taxpayers involved." Councilmen Mach and Prucha are white, and they are conferring with white residents as to where the school should be located.

Doubts as to the wisdom of school construction plans in the Fourth District were expressed by Councilman Henry G. Parks Jr., a prominent Negro business man. On May 27 Councilman Parks repeated his concern with five sites in his district, which would displace about 200 Negro families. Parks suggested that the school board had been pushed into a costly program of replacing obsolete inner-city schools without having sufficient knowledge of the extent to which sections of the inner city were emptying out.

Negro students at Dunbar High School appealed in May to have a large asphalt "playground" turned into a grass playing field and succeeded in having a resolution to that effect introduced in the City Council. The students said the hard surface was unsafe for games and was little used. The high school faculty and administration supported the student petition.

* * *

Community Action

The U.S. Naval Academy trained its big gun, in the person of Rear Adm. Draper L. Kauffman, on the Anne Arundel County Board of Education but through May had not shaken the decision to shift the children of academy personnel to a predominantly Negro school.

The children of Navy families have been going to the West Annapolis Elementary School, which in the past school year was 96 per cent white. Under a redistricting plan, 124 children would be bused next September to the Adams Park Elementary School, two miles away, which in the past year had only 17 per cent white children. Under the busing plan, the white percentage would increase to 39 per cent, while the white enrollment at West Annapolis would drop to 80 per cent.

Maryland-9
May, 1968

Academy parents protested the shift as a "violation of the neighborhood concept" and as a waste of transportation money on children who lived within walking distance of their present school. When the parents failed, Admiral Kauffman, academy superintendent, made a personal visit to the county executive and county school board president, saying he was acting in the interest of the "morale and welfare" of Navy personnel, who felt they were victims of "discrimination" because they are transient residents of Annapolis.

School board members denied treating Academy children any differently than other children and expressed the hope that "the Navy will understand and go along with the plan." But according to a news account in the Baltimore Sun of June 2, the Naval Academy was considering an appeal to the Maryland Board of Education. "I think I probably will take it up to the state board," Admiral Kauffman said. "We'll have to get the committee together to decide."

* * *

Baltimore's extensive school construction plans to replace obsolete inner-city schools caught some white backlash in May as parents, teachers and some school administrators from the Third District trooped before the school board to plead for more new schools in their predominantly white residential sections. Third District spokesmen, including their councilmen, offered figures showing that their district had received fewer new schools than any of the other six districts over the past five years and would be on the short end over the coming five years.

No mention of race was made. But it was the Third District that had new school projects deferred last year when black militants insisted on more school construction funds for the inner city. State Sen. J. Joseph Curran Jr., (D-Third) put the issue in perspective when he urged the school board to build new schools in outlying sectors "to encourage middle income groups to stay where they are." The alternative, Curran said, was more removal of taxpayers to the nearby county.

* * *

The Parents' Council at Western High School, an all-girls school in Baltimore, protested in May against the completely open-enrollment policy, which was forcing Western onto extended-day shifts. Under the policy, adopted by the school board at the urging of black militants, three high schools will be on extended-day schedules next September, while five high schools will have below-normal enrollments. The overcrowded high schools are predominantly white; the under-utilized schools are predominantly Negro.

* * *

Maryland-10
May, 1968

Negro inner-city parents in the vicinity of Johns Hopkins Hospital protested in May against plans for an experimental elementary school, which would have 125 neighborhood children and 125 children of hospital staff members. The school closest to the hospital now has an all-Negro enrollment and staff, and the children of Hopkins personnel go elsewhere to school.

The experimental school is a favorite project of Francis C. Murnaghan Jr., president of the school board, who sees it as an opportunity to introduce pupil and staff integration in the inner city. He had found a white principal and several teachers at an outlying school who were willing to undertake the experiment, which had first been suggested in discussions between the late Supt. Laurence G. Paquin and Milton S. Eisenhower, then president of Johns Hopkins University. A vacant Catholic parochial school was available for the project.

Murnaghan explained the model-school plan at a neighborhood meeting, which was hostile at the outset, because of previous rumors that the "Hopkins" was going to take over the neighborhood school, and became more hostile as Negroes learned that the plans had been advanced without their having been consulted and that a white principal had been picked for the project.

The hostility carried over to a school board meeting on May 16. Mrs. Elizabeth Murphy Moss, a Negro board member, criticized the model-school plan as "a prestige thing set up for the benefit of Hopkins." James M. Griffin, the second Negro board member, criticized the appointment of white principals in Negro neighborhoods when "black principals are available." A white board member, Philip Macht, supported Mrs. Moss's call for a delay in naming the principal. The rest of the board, however, voted for the appointment of Miss Kathaleen V. Kennedy, the white principal.

Murnaghan on May 31 said that the Broadway-Hopkins Experimental School, as it will be called, would be opened this September, "if interested parents can be identified promptly to co-operate with the school staff in planning the school program. Murnaghan said the school's staff would be "completely integrated" and enrollment would be voluntary.

* * *

Under Survey

The Baltimore school system on May 7 announced the formation of a committee to study the feasibility of a middle-school arrangement or 4-4-4 organization of the standard 12 grades. Baltimore currently has six grades in elementary schools, three in junior highs and three in senior highs.

Maryland-11
May, 1968

The middle-school plan was suggested last year by the Mayor's Task Force for Equal Rights on the premise that it would promote a greater racial mixture from the fifth grade onward as children left neighborhood schools to attend a larger secondary school. Baltimore's incoming superintendent, Thomas D. Sheldon, utilized the middle-school concept to alleviate de facto segregation in Hempstead, N.Y., where he has been superintendent.

* * *

Miscellaneous

Last month's report from Maryland omitted the formal approval in Montgomery County of a plan to bus two dozen Negro children from Washington to the suburban white Bannockburn Elementary School. The children will be scattered among the first, second and third grades in the first example of city-county co-operation in the Washington region. Bannockburn parents proposed and developed the plan. The Washington school system will pay tuition and bus costs.

#

MISSISSIPPI HIGHLIGHTS

Schools in Quitman County were closed by a student-teacher boycott for more than a week, surrounding events of organizing the "Poor People's March" on Washington at Marks. Teachers were later reinstated by the county board of education.

At Shelby, some 1,100 Negro students who went out on boycott in May remained out of school the remainder of month, returning only to take examinations. The protest surrounded failure of Bolivar County School District Five to rehire the principal at Shelby who had been active in politics last summer.

Two Negro teachers at Shelby not rehired by the school district filed suit in Federal District Court to get their jobs back and damages of \$100,000 each.

A Clarksdale Press-Register columnist says protests against the dual school system in Mississippi are now in a new stage as a result of boycotts in Quitman County and Shelby.

The Mississippi House of Representatives passed a bill raising state private school tuition grants from \$185 to \$240 a year, without any explanation as to the legal status of tuition grants.

#

Mississippi-1
May, 1968

MISSISSIPPI

Community Action

A student-teacher boycott closed the four all-Negro schools in Quitman County in the north Delta for more than a week in early May, while the "Poor People's March" on Washington was being organized at Marks. At Shelby, about 30 miles from Marks, another Negro school boycott was launched over refusal of the school board to rehire Eddie Lucas, principal of the elementary school division. An estimated 1,000 of the 1,100 students enrolled at the 12-grade Broadstreet School at Shelby and a majority of the teachers were absent during the May 6-10 school week.

The initial friction at Shelby had come when students and teachers left school following the assassination of Dr. Martin Luther King Jr. in early April and the town had imposed an 8:30 .m. curfew. Lucas, who has 13 years experience in the Shelby school system, had served last year as campaign manager for Kermit Stanton, a Negro who won a post as member of the county board of supervisors in Bolivar County.

Lucas contended that "everything was lovely-dovey until we got a Negro elected supervisor." A general boycott was called by Negro citizens in Shelby May 3 after it was learned by Lucas that the Bolivar County School District Three board had refused to renew Lucas's contract as a principal and teacher. Sympathetic teachers joined the boycott movement, and on May 9, about 25 teachers of Broadstreet School walked to the office of Joel Chapman, superintendent of the school district. The teachers later met with the board of trustees but were told the board would not alter its earlier decision.

In Quitman County, the county board of education decided on May 7 it would take no action against any of the teachers who had walked out with students over an incident involving a worker for the Southern Christian Leadership Conference over recruiting of persons for the Poor People's March. The boycott emptied the rooms of the all-Negro schools in Quitman County, including three elementary schools and the Quitman County Industrial High School. At the latter school, Marks police had arrested Willie Bolden, a SCLC organizer, on May 1 on charges he was disturbing the peace at the school grounds.

About 40 students poured out of school and marched to the courthouse of the tiny Quitman County seat and sat down outside the jail, demanding Bolden's release. After an hour, highway patrolmen armed with long night sticks routed the students, injuring several of them. The breakup of the demonstration triggered in turn a march on the Quitman County courthouse by hundreds of Negroes on May 2. More than 100 Negro teachers employed in the district took part in the school boycott, which started May 2.

Mississippi-2
May, 1968

Ney Gore, Marks, attorney for the Quitman County board of education, said later when the board agreed to take no action against the teachers: "We instructed the principals to tell the teachers that the board had recommended that no one be discharged, and that the schools were expected to open by May 10 and every teacher on duty."

The Negro teachers met on May 7 and voted to accept the terms and return to school on May 10. Gore said the teachers agreed to make up the six lost days by holding classes on Saturday and extending the term by three days.

* * *

Legal Action

Two Negro teachers at Shelby's all-Negro Broadstreet School have filed suit in U.S. District Court to get their jobs back or be paid damages of \$100,000 each. The failure of the board of trustees to rehire them touched off a school walkout and business boycott earlier this spring.

The plaintiffs are Eddie Lucas, principal of the elementary school divisions of the 12-grade school, and Joseph Delaney, a social studies teacher in the high school. The defendants are Joel Chapman, superintendent, members of the board of trustees of Bolivar County District Three and Lit Evans, principal of the high school division.

Lucas and Delaney charge that they were not rehired because of their civil rights activities and their support of Kermit Stanton, a Negro who was elected supervisor in Bolivar County last fall. They also claim they were given no reason for dismissal by the school board and that they have not had a hearing. The court action seeks depositions from school officials to explore the causes of the failure to rehire the two men.

The plaintiffs filed a motion to allow early discovery and to require production of documents on the reasons for the failure to renew the contracts because the 1967-68 school year has ended and little time remains before the beginning of the next session. "If any effective relief is to be granted, it must be granted... very soon, before plans are fixed for the coming school year," the motion said.

Mississippi-3
May, 1968

The plaintiffs also moved on an annexed complaint for a preliminary injunction to prevent the defendants from failing to renew the contracts or hiring anyone else for the positions. In another motion the plaintiffs cited another case in which the court ruled a schoolteacher or principal would be constitutionally entitled to re-employment if he can prove that the school officials did not have good cause or exercise sound discretion in failing to rehire him or failed to rehire him in response to the teacher's efforts on behalf of fuller political participation for Negroes.

The complaint said that Lucas, a teacher at Broadstreet Elementary School for 13 years and principal for six years, and Delaney, a teacher in Broad Street High School for two years, are both "highly qualified educators." Both, it said, have been active in urging Negroes to participate in politics. "The reasons for defendants' refusal to renew plaintiffs' contracts violate plaintiffs' rights under the First and 14th Amendments to the Constitution," the complaint charges.

The suit was the latest filed concerning Shelby. U.S. District Judge William C. Keady earlier heard a suit and a countersuit between dissident Negro citizens in Shelby and town officials. In other cases, Judge Keady struck down an 8:30 p.m. curfew imposed on the town, and in a counteraction by the town to end the boycott Judge Keady upheld the right to picket on the public passageways such as sidewalks but ruled against intimidation of those who chose to buy at the stores being boycotted.

In the curfew ruling, the town of Shelby was ordered to stop enforcing two curfew ordinances and a mayor's proclamation forbidding gatherings of more than five persons on the street.

Ruling that the curfew law offended First and 14th Amendments, Judge Keady said it was unjustified because there was "no state of unrest of civil disobedience" in the city. In the two-day hearings, attorneys for the Lawyers Constitution Defense Committee argued that the curfew made every city resident a prisoner at night.

Halting a boycott of the Broadstreet School and discouraging a selective buying campaign Negroes have imposed against white merchants were cited as reasons for the curfew. The protest began when the school board failed to renew the contracts of Lucas and Delaney and about 1,000 students of the 1,100 students in the school walked out of classes.

Mississippi-4
May, 1968

The Negro students returned to classes in late May, about two weeks after the walkout and boycott began. Although teachers were absent for only a couple of days about 90 per cent of the students missed classes for two weeks. However, with the end of the school term approaching, seniors returned to school and were graduated on schedule.

Delaney, one of the spokesmen for the Shelby Educational Committee, which is behind the boycott, said he thought he had not been rehired because he taught his students that America is basically a racist country. He said he talked about black power but was not a black power advocate. "I'm for total justice for all the people," he said. He said the loss of his and Lucas's jobs and the curfew were just two of several complaints of Shelby Negroes. He said others were the lack of communication between the school board and the black community, no summer recreational program, the failure to provide "quality education" in the schools, vacillation over salary raises and eviction of a Head Start program from a building owned by the school system.

The boycott has cut sharply into the business of the merchants in the municipality of 2,500 people. Delaney said that most of the Negro buying is conducted in the nearby Mound Bayou, a practically all-Negro community. He said that although the boycott is primarily a local movement, it had the support of the Southern Christian Leadership Conference, the National Association for the Advancement of Colored People and the Delta Ministry.

The curfew was clamped on early in April after unrest following the assassination of Dr. Martin Luther King.

* * *

What They Say

Protests against the dual school system in Mississippi may have entered a new phase in May with the walkouts of students and teachers in all-Negro schools in Quitman County and in Shelby, Curtis Wilkie observes in his column, "...And In This Corner," in the Clarksdale Press Register. "Through the boycotts, which were relatively spontaneous, Negro forces may have inadvertently come upon a new means to extract concessions from all-white school boards," Wilkie writes.

By refusing to take part in a dual school system, Negroes could cause an upheaval far greater and quicker than the 1954 Brown decision, he believes. In Quitman County, with no one to teach at the all-Negro schools, the only public institutions left for the children were the predominantly white ones.

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The issue there was resolved by a compromise. The teachers, who had been threatened with the loss of their jobs if they left their classes, would not be discharged, and they would make up the six days lost during the walkout. However, for short periods of time, the education process in part of two school systems was stopped by strikes.

"School walkouts are a radical approach to what participants consider problems, but they feel that it is the only way to achieve their objective," Wilkie says. "It could be that Negroes may resort more and more to this tactic in an effort to increase integration."

* * *

Legislative Action

The Mississippi House of Representatives passed a bill raising the private school tuition grants from \$185 to \$240 a year after little floor discussion. No action has been taken on the bill in the Senate, as the 1968 regular session of the legislature neared an end.

Backers of the tuition grant bill said that the increase was "in line with" the increases in public school teachers salaries at the present legislative session. They said that the number of students in private schools securing the grants is expected to increase to 5,000 next school year. No comment was made that similar private school tuition grants enacted after desegregation of public schools have been thrown out by federal courts in other states, and that a challenge against the Mississippi law is pending in federal court.

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An effort to revive a bill to allow school districts to levy a 10-mill property tax if they lost federal funds because of failure to comply with school desegregation guidelines, failed in the Senate.

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MISSOURI HIGHLIGHTS

Dr. William Kottmeyer, superintendent of St. Louis schools, warned a special state legislative committee May 17 of terrible consequences if solutions to big city school problems are not found soon in Missouri.

John B. Ervin, a Negro, who will become dean of the Washington University school of continuing education on July 1, will serve as acting chairman of the Missouri Commission on Human Rights.

Students at the University of Missouri-Kansas City and Metropolitan Junior College-Kansas City have responded to the area's racial problems by forming action committees to break down the barriers between white and black. In the first UMKC Human Relations commission meeting May 2, about 80 students signed up for various committees designed to take direct action against racial inequities at the university and in the community.

St. Louis University will begin a new scholarship program next year for culturally and economically deprived students with an expected first term group of 20, the Rev. Paul C. Reinert, S.J., president, said May 17.

The University of Missouri was awarded a \$4,486 grant May 18 to organize a council in St. Louis for development of better relations between news media and minority groups.

The number of youths loitering in and around St. Louis schools is expected to decrease because of the work of five policemen assigned to duties in the schools, Capt. Phelan of the police juvenile division said May 1.

Five new programs providing 265 jobs will be made available to St. Louis high school students from disadvantaged areas this summer. The jobs will be provided by the St. Louis Board of Education in co-operation with several businesses and organizations.

Missouri-1
May, 1968

MISSOURI

Schoolmen

Dr. William Kottmeyer, superintendent of St. Louis schools, warned a special state legislative committee May 12 of terrible consequences if solutions to big city school problems are not found soon in Missouri. The Missouri State Teachers Association and the Missouri School Boards Association joined in urging that state aid to public schools be boosted to half the cost of education from the present 34.2 per cent.

Dr. Kottmeyer predicted increasing difficulties if the state does not help the big cities, and quickly. "We have not yet the misery of New York or Chicago or other big cities," Dr. Kottmeyer said, and then repeated with emphasis the word "yet."

Appearing before an interim Committee on Public School Financing, Dr. Kottmeyer endorsed proposals to hike state aid to districts generally, but made a special appeal for recognition of the problems of the metropolitan areas. State government, he said, is the logical partner for the city in coping with the financial and social problems, not the federal government.

"If the federal government is our partner in this relationship," he declared, "God grant us some more enemies."

The Pruitt-Igoe housing project which is occupied by Negroes was termed a monstrosity by Kottmeyer. He said massive urban renewal projects, which shrink the property tax base and provide skimpy payments in lieu of taxes, are helping to create a "crime environment" in St. Louis' inner city, he said.

In turn, the St. Louis system is having grave difficulties hiring and keeping qualified teachers, despite attractive salaries, because they fear for their safety. Much has been made of the \$6 million in federal aid to St. Louis schools, he said, but it does not make up for the loss suffered by the system as a result of other programs. The federal funds are for supplementary or special category projects, which "don't reach the real problem of the educational program," he said.

Missouri-2
May, 1968

In a letter to members of the St. Louis Board of Education May 18, Dr. Kottmeyer said that budget-cutting action under consideration by Congress would reduce from \$4.3 million to \$3 million funds to St. Louis schools under Title I. He said that is in addition to cutbacks of nearly \$400,000 for St. Louis already contained in President Johnson's 1968-69 budget. Programs reaching 70,000 St. Louis Children, including the Rooms of 20 program, the Lincoln Opportunity High School, the Vit-A-Lunch program, teacher aides, study-learning resources centers, curriculum materials centers and various counseling programs would be jeopardized.

* * *

John B. Ervin, a Negro, who will become dean of the Washington University school of continuing education on July 1, will serve as acting chairman of the Missouri Commission on Human Rights, it was announced May 21. Ervin, commission vice chairman, will be acting chairman until Gov. Warren E. Hearnes, appoints a successor to Forrest P. Carson, a Jefferson City lawyer whose term on the commission expired in April.

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In The Colleges

Students at the University of Missouri-Kansas City and Metropolitan Junior College-Kansas City have responded to the area's racial problems by forming action committees to break down the barriers between white and black. In the first UMKC Human Relations commission meeting May 2, about 80 students signed up for various committees designed to take direct action against racial inequities at the university and in the community.

At the junior college, about 50 students, predominantly Negro, have initiated "Operation Friendship" to promote understanding and communication between the races. Leonard Vann, junior college sophomore and a spokesman for the human rights action group, said efforts had been based on the belief that most of today's problems stem from persons not understanding one another.

"There is only one race," he said, "the human race. The race problem is there, but the big problem is just relating to each other as human beings." The group has started campaigns entitled "operation touch" and "operation bunk-in" to help replace fear and ignorance with friendship and understanding, Vann said.

Missouri-3
May, 1968

"Our group has begun 'operation touch' in our cafeteria," Vann said, which is really segregated informally.

"A lot of naive people think something is wrong with the black man's skin. So we are using this direct contact approach, using our hand as a symbol of friendship.

"For 'operation bunk-in,' a member of one race is staying a week with a member of another. If you've never been in the ghetto, you don't know what's going on. By the same token, if you've never lived on 150th Street, you don't know what's going on there either."

Vann said that the group was planning dances, picnics and summer programs. He said they were not approaching the problem of discrimination by putting pressure on white individuals and groups, but instead by establishing meaningful relationships.

The UMKC human relations group plans to apply pressure as well as promote understanding, said Richard L. Hoover, UMKC sophomore and chairman of the commission established by the student council. Committees dealing with such areas as housing, job opportunities and curriculum analysis have been established. Hoover told about 150 persons at a meeting that the commission was prepared to take legal and boycotting action to end discrimination and fight racism.

William M. Washington, associate director of the Kansas City Urban League, said at the meeting that the present racial crisis, like cancer, would spread and destroy society if its causes were not treated.

Outlining specific programs of the commission, Hoover said one of the first efforts would be to attack housing discrimination against university students, especially in apartments that come under the control of federal and local fair housing rules. He said the commission would take persons to court who were violating the laws and would attempt to get students to move out of housing owned by persons who discriminated.

Hoover said the commission was attacking the problem at UMKC by trying to make Negro students feel more welcome, and by actively recruiting Negro students by sending UMKC students back to their old high schools in the inner city to urge enrollment.

Hoover said the student council may fund a special scholarship program to encourage Negro students to come to the university. He also said the commission planned to set up tutorial programs to help students adjust to the university curriculum once they get to UMKC. He added, however, that the curriculum itself should be modified to adapt to the Negro.

Missouri-4
May, 1968

He said that Negroes, even if they have the ability, often fail at UMKC because the curriculum is based upon students having a white background. "It is a shame that the university can't realize that people are not all alike in background," he said.

* * *

St. Louis University will begin a new scholarship program next year for culturally and economically deprived students with an expected first-term group of 20, the Rev. Paul C. Reinert, S.J., president, said May 17. He said the university would recruit the students, give them full-tuition scholarships, aid them in finding part-time employment and award them grants for purchase of books and equipment.

The students will be chosen for their ability and motivation from among those who are unable to meet the usual entrance requirements, he said, and will be given tutoring and special instruction to assist them in increasing their ability to participate in a full university schedule of work.

Father Reiner announced also the awarding of two scholarships by the Cardinal Ritter Foundation for Human Rights and Social Justice. The recipients, both Negroes, are Miss Lorraine Hunt, a senior at Beaumont High School, and Claude Anthony Penny, a senior at McBride High School.

* * *

The University of Missouri was awarded a \$4,486 grant May 18 to organize a council in St. Louis for development of better relations between news media and minority groups. The grant was made by the Lowell Mellett Fund for a Free and Responsible Press.

The council will function from early summer through late fall. The work will be evaluated and a report will be sent to the fund by the end of this year. The fund administers a bequest to the American Newspaper Guild by the late Lowell Mellett, Scripps-Howard columnist and executive.

* * *

Community Action

The number of youths loitering in and around St. Louis schools is expected to decrease because of the work of five policemen assigned to duties in the schools, Capt. Joseph Phelan of the police juvenile division said May 1. He said most of the youths are non-students, some of whom have been expelled from the schools where they cause trouble. They walk through halls and sometimes enter rooms while waiting for friends in school.

Missouri-5
May, 1968

Capt. Phelan said loiterers who are juveniles are turned over to juvenile authorities. Older youths are taken from the schools to their homes, and the officers warn their parents that trespassing charges will result if the youths are apprehended a second time on school property.

* * *

Five new programs providing 265 jobs will be made available to St. Louis high school students from disadvantaged areas this summer. The jobs will be provided by the St. Louis Board of Education in co-operation with several businesses and organizations. This was announced May 15.

Under two programs, about 200 students will be employed 30 hours a week for nine weeks by the Board of Education and other governmental agencies. The programs are funded by a grant of \$82,500 from the vocational division of the Missouri State Department of Education. About 175 of the 200 students will work in various departments of the school system, and 25 will be placed in governmental agencies.

Forty graduating seniors will participate in a summer training program for engineering aides at the University of Missouri at Rolla. Fifteen junior students from inner-city high schools will become trainees in a bank training program operated by a local bank. The IBM Corp. is offering an intensive eight-week training program to 10 graduating seniors who do not plan to attend college.

* * *

Through a little-known Kansas City Rotary Club program called "Double E," about 730 high school dropouts have been given a second chance, over the last five years, to complete their work for diplomas. This was disclosed May 19.

Although many did not persist to graduation, many have used the program's employment opportunity to finance completion of a high school education. Max H. Koerner, current chairman of the program, said it is financed in Kansas City without outside help. The Kansas City school district provides leadership.

Rotary Club members participate by opening jobs in their firms to young people who need them, Koerner said. Dropouts are directed to school district officials by high school counselors or friends.

Missouri-6
May, 1968

Koerner said 83 youths presently are employed and attending school through the program. He said he is pleased that with so little fanfare the Double E (for education and employment) effort has gone so well. "Certainly," he said, "it operates with a minimum of expense and hopefully with a maximum of results."

* * *

What They Say

Urban America is becoming the discard heap of the disadvantaged as blacks and whites divide into separate societies, a St. Louis educator said May 16 in the Jackson County civil rights symposium at the University of Missouri-Kansas City. The Rev. Lucius F. Cervantes, director of the St. Louis University social research center and research assistant to his brother, St. Louis Mayor A. J. Cervantes, said that urban riots are not caused by the frustrated Negroes, but by whites who do not provide equal opportunities to the Negro in jobs, housing and education.

The white emigration to the suburbs is increasing segregation and magnifying urban problems, Father Cervantes said. "The black neck of the central city is becoming surrounded by the white noose of the suburbs," he said.

Cervantes said an indication of increasing segregation could be found in the percentage of Negroes enrolled in grade schools. In St. Louis grade schools 80 per cent of the students are Negro, while in suburban St. Louis County, nine per cent are Negro.

He added that segregated education was inferior for the Negro. As an example, he noted that in the St. Louis area, about twice as much money is being spent for educating the suburban child as for the urban child. And this inferior education, he said, produces persons with poor achievement potential.

* * *

Transport children from ghetto areas to better schools or establish ghetto schools that will draw white people to them like a magnet, a 1967 National Book Award Winner said in St. Louis May 13. Jonathan Kozol, author of "Death at an Early Age," and a former teacher, said in an interview that black militants established a school in Boston which has gained wide white respect. It will open for its third year in September with about 100 students, of which nearly 30 are white.

Missouri-7
May, 1968

Kozol suggested transporting students from the Pruitt-Igoe Apartments, a disadvantaged area, to better schools in St. Louis. He said "busing" was not a bad word until a few years ago. But, if the students are not transported, he suggested formation of ghetto schools in which the parents have a major voice in the choosing of teachers, administrators and curriculum.

* * *

The Kansas City Star said in an editorial May 2:

"Last March James A. Hazlett, Kansas City superintendent of schools outlined a long-range plan to promote integration in the system and deal with specific problems that generate friction and inequality of opportunity.

"At the time it was generally agreed that public discussion of the plan would be delayed until after the fair housing election April 30. But that election was canceled because of the federal law and a new and stronger local ordinance enacted. In the interim, the city suffered the disorders of April in which events in and around schools were factors.

"So now, it would seem, the sooner the superintendent's proposals can be considered by the board and the public, the better.

"In general, it is proposed that the district move toward a 'cluster' or master elementary school plan that would draw pupils from wider geographic areas and thus tend to further integration.

"Specialized high schools that would draw students from the entire district are contemplated. The superintendent also suggests that no more strictly neighborhood elementary schools be constructed so long as there is usable space in other schools. That would mean more busing. Even so, new buildings are needed where children live, and when existing schools are old and decrepit, they must be replaced. Thus the proposal that the Carver, Booker T. Washington and Yeager elementary buildings be replaced by a single elementary campus.

"The superintendent also suggests programs to increase faculty integration and special instruction for teachers in human relations techniques. He would like the Missouri Commission on Human Rights to determine the degree of integration and placement policies in the colleges that specialize in teacher training. He proposes constant reviews of books and other instructional materials to make certain the content is fair to minority groups.

Missouri-8
May, 1968

"Finally, Hazlett proposes a citizens group to consider the plan and to test public sentiment of its various sections. Hearings and public discussions would be an important part of the procedure...."

* * *

The St. Louis Globe-Democrat said in an editorial May 13:

"It has been estimated by St. Louis school authorities that some 1,500 or more ex-students who have been expelled or dropped out now roam city streets with nothing to do but get into trouble.

"That they have been getting in trouble is quite obvious from reading the mounting list of crimes they commit daily, including murders, holdups, muggings, burglaries, virtually every type of offense.

"Police say they are doing all they can by apprehending as many as 50 or more juveniles each week for downtown crimes.

"But still young toughs harass and rob downtown business people to the point that some are going out of business rather than face death or beatings at the hands of these young hoodlums.

"What is the answer? It certainly doesn't lie in merely stepping up enforcement, although this could help.

"If this problem is to be met, it must be done by preventive measures.

"If school authorities know the approximate number of those who have been expelled or who have quit school, they also know who these young people are.

"Some communities meet this problem by opening up school gymnasiums and classrooms in the evening hours for recreational and training programs for young men who can't make it in day school. The results have been excellent.

"It has been found these citywide programs have been able to materially reduce juvenile crime and salvage the lives of many previously thought to be hopeless cases...."

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NORTH CAROLINA HIGHLIGHTS

School desegregation plans in two of the state's largest school districts, Raleigh and Greensboro, were termed unsatisfactory by the Department of Health, Education and Welfare. Both cities are threatened with the loss of federal funds.

The towns of Clinton and Fairmont won rare victories over the Department of Health, Education and Welfare on the issue of the pace of school desegregation, in rulings by hearing examiners.

A week-long boycott of all-Negro Central High School in Hillsborough ended after an "interpretation" of the freedom-of-choice plan hastened the entrance, under reassignment, of Negro students to predominantly white Orange High School.

#

North Carolina-1
May, 1968

NORTH CAROLINA

Schoolmen

The Raleigh Board of Education was told by the Department of Health, Education and Welfare (HEW) to prove in legal proceedings that it is complying with federal desegregation requirements or lose all federal funds. The school system receives approximately \$900,000 annually in federal funds. The board was given 20 days in which to file an answer and request a hearing.

The Raleigh board was accused of "pursuing a policy and practice of operating a public school system on a racially segregated basis," and of failing "to operate its amended desegregation plan effectively" and to live up to its agreement to comply with the revised (HEW) guidelines.

HEW found fault with both the Raleigh board's original freedom-of-choice plan and the geographic zoning plan subsequently adopted as a substitute. HEW has advised the board the new plan is inadequate, but the board has refused to reconsider it. Among other things, HEW alleged that:

* The Raleigh school district "has failed to take affirmative steps to implement a plan which would effectively eliminate its racially dual school system by the opening of the 1968-69 school year, or at the latest by the opening of the 1969-70 school year."

* The Raleigh school district has not corrected the effects of past discriminatory practices in the assignment of teachers and other professional staff.

* "The fear of Negro parents and children, caused by the long history of segregation and other discrimination in the school district and by community attitudes and pressures, prevents them from exercising an uninhibited 'freedom of choice.'"

* "In the schools attended exclusively by Negro students (the school district) provides educational opportunities and facilities that are inferior to those provided...in schools attended primarily by white students."

* The school district "has failed to eliminate racial segregation in connection with its services, facilities and activities including, but not limited to, construction of schools, special educational programs, athletics and other extracurricular activities sponsored by or affiliated with the schools."

North Carolina-2
May, 1968

HEW said that for the school year 1967-68, 5,157 of a total of 5,790 Negro students attended schools in which the student enrollment was exclusively Negro. For the same year, added HEW, no white student attended any school in the system which was attended predominantly by students of the Negro race.

Maurice Thiem, chairman of the Raleigh Board of Education, invited citizens to examine the geographic zoning plan in detail and to make "specific suggestions" for changes before the board convenes to discuss the HEW charges.

* * *

HEW told the Greensboro city school system to eliminate its "racially identifiable" education system or face the loss of about \$840,000 annually in federal aid. Eleven Greensboro schools are "clearly identifiable as being maintained for Negro students," Supt. P. J. Weaver was informed in a letter from Dr. Eloise Severinson of Charlottesville, Va., regional civil rights director with HEW.

Dr. Severinson told Weaver that "the freedom of choice procedure has not been an effective means of desegregating students, and the dual school system remains virtually unchanged in your administrative unit."

Weaver was advised that faculty desegregation "falls considerably short" of the standard of assigning "at least two full-time classroom teachers" on a desegregated basis to each school. The letter did not identify the 11 schools cited.

But the Greensboro Daily News reported that a check of city school records shows that 11 schools have only Negro students. One of the 11 has an all-Negro faculty, the newspaper reported, three of the schools have only one white faculty member, while seven of the schools have two or more white teachers.

The newspaper reported that Weaver said the number of teachers in schools where most students are of a different race had more than doubled in the past year--from 48 last year to about 105 this term. "We have stated that we would employ and assign personnel without regard to race," Weaver said. "This has been our policy and continues to be our policy. We are positively not operating schools for students of any one race. To our knowledge no student has ever been coerced to accept a particular school or denied his application for a desegregated education."

North Carolina-3
May, 1968

The Daily News commented editorially: "...HEW still has suggested little in the way of guidance for local officials who are trying to provide equal education for all pupils and equal opportunities for all teachers, and who want to comply with the law, but who are not willing to destroy a fine school system by playing an arbitrary numbers game...."

* * *

During the month of May, two North Carolina school districts--Clinton city and Fairmont city--won their disputes with the federal government over the pace of school desegregation. Hearing examiner Horace H. Robbins found Clinton city schools in compliance with the law. He said, "Progress has been made toward the elimination of the dual school system, and although the progress has not been impressive, it is sufficient" to forestall any cutoff of federal aid to the Clinton schools.

"This was only the fifth time in 158 decisions by trial examiners for the Department of Health, Education and Welfare that a local school board under fire by the government had won its case," wrote Washington Reporter James K. Batten in the Charlotte Observer. In addition to Clinton and Fairmont, Batten wrote, two of HEW's other setbacks were in South Carolina, and one in Alabama.

Five N.C. districts have lost their cases, and four of them--Hyde, Jones and Martin counties, and Wilson city--are threatened with loss of federal funds. The fifth district--Johnston County--has since reached an agreement with HEW that will keep federal funds flowing.

In the 1966-67 school year, 114 Negro children in Clinton attended predominantly white schools. This year, the number increased by 10, to 124 of Clinton's 1,482 Negro pupils. Faculty desegregation increased from the equivalent of 6.7 teachers in desegregated situations last year to the equivalent of 12.7 full-time teachers this year.

The Clinton school board has promised that next year, the number of Negro children in desegregated schools will increase from 124 to 230. Faculty desegregation will increase 50 per cent.

In the Fairmont case, Hearing Examiner Irvin N. Hackerman reached a similar conclusion. Fairmont had 1,036 white students and 1,225 Negro students when schools opened last September. Most of the Negroes attended all-Negro schools, while 52 Negroes attended the town's one predominantly white school under freedom of choice.

North Carolina-4
May, 1968

Fairmont school officials told Hackerman that next year the number of Negroes attending the predominantly white school will be increased to 250. They also offered to have 10 full-time instructors teaching across racial lines, compared to seven this year.

HEW announced plans to appeal both the Clinton and Fairmont decisions to a three-man tribunal set up to review school desegregation appeals. Dr. Charles F. Carroll, state superintendent of public instruction, said he does not subscribe to the views that the decisions represented "defeats" for HEW. "I'd call them negotiated settlements," Carroll said, who noted the settlements will last only so long as the progress of desegregation meets the approval of HEW.

* * *

On May 21, all Negro schools in Orange County were closed for one day as the result of a boycott of one week staged by the more than 500 students at all-Negro Central High School in Hillsborough. The boycott began when students objected to the Orange County Board of Education's timetable for admitting them to predominantly white Orange High School. Under the timetable, freedom of choice would have permitted complete desegregation at Orange High in 1969.

At a meeting of school officials and adult Negroes on May 21, Orange County School Supt. G. Paul Carr said an "interpretation" of the freedom-of-choice plan was made that satisfied the students. The interpretation permitted the members of the ninth, 10th and 11th grades at all-Negro Central to apply for reassignment at Orange High for the start of the next school term. Originally, the plan called for reassignment of the entire 10th grade in September, the ninth and 11th grades in 1969. A couple of days after the "interpretation," 273 of the 392 eligible students in the three grades had requested reassignment to Orange High and more applications were expected.

The closing of all the Negro schools was ordered after some brief violence at Central High. Some chairs and desks were thrown around a room, and several windows were broken in the school gymnasium.

* * *

HEW approved a revised desegregation plan of the Goldsboro Board of Education. The plan calls for approximately 650 of the city's 4,272 Negro students to be assigned to each school on a desegregated basis. Starting in September, the city schools will be operated on a freedom-of-choice basis. Starting with the 1969-70 school year, only desegregated schools will be operated.

* * *

North Carolina-5
May, 1968

The Winston-Salem-Forsyth county school board decided to study the effectiveness of freedom-of-choice plans in desegregating schools. The decision came after the concept, which was rejected by the U.S. Supreme Court in cases when it does not foster desegregation, was attacked at a school board meeting by the Rev. J. T. McMillan, head of the local chapter of the National Association for the Advancement of Colored People. McMillan called freedom of choice "a mammoth failure."

* * *

Dr. W. Kenneth Haddock, chief of the civil rights office of HEW in Charlottesville, Va., "suggested" that the Union County School Board phase out its all-Negro high school grades by September. Now, 312 Negroes are attending predominantly white schools with 7,114 white students. Next year, 400 of the 2,095 Negro students are expected to be in predominantly white schools. The school board had a target date of 1969 for phasing out the Negro high school grades.

* * *

Cleveland County's board of education has been told by an HEW investigating team that freedom of choice must produce "a substantial increase" in the numbers of Negroes attending integrated schools by next fall or be replaced by other forms of pupil assignment. Wilmington city schools received a similar warning from another HEW team.

* * *

The N.C. Education Association adopted a policy on sanctions by a secret, individual ballot of its members, with 25,780 voting for the adoption of the policy and 5,558 voting against. The vote merely adopted a policy, or a set of guidelines, and does not impose any form of sanctions. The imposition of any sanction under the policy will require an affirmative vote of two-thirds of the members of the local NCEA unit, or, in the case of a statewide vote, a two-thirds majority. Most Negro teachers were not included in the poll because their N.C. Teachers Association has not completed a planned merger with the NCEA.

Said Dr. A. C. Dawson, NCEA executive secretary, "I hope no teachers will ever have to use them (sanctions)." Sanctions, as commonly applied by teachers, most often have involved action by local teachers to persuade teachers from other areas not to apply for jobs there.

* * *

North Carolina-6
May, 1968

In The Colleges

Reporter Robert M. Auman of the Greensboro Daily News talked to some Negro coeds at the University of North Carolina at Greensboro. Auman concluded, "Some of them feel socially isolated. But, as one of the girls put it, few have had any 'awful' experiences. Most of them feel 'accepted' by their white schoolmates."

* * *

Political Action

North Carolina's first Negro candidate for governor, Dr. Reginald A. Hawkins, Charlotte dentist, ran third in a three-man field for the Democratic gubernatorial nomination, collecting 129,808 votes, or approximately 18 per cent of the votes cast. Lt. Gov. Robert W. Scott led the field, followed by J. Melville Broughton Jr., Raleigh lawyer. Scott polled 337,368, Broughton 233,924.

Broughton was entitled to call for a second primary, but declined to do so in the name of party unity. Hawkins, whose votes would have been vital in a second primary, called Broughton "a quitter." Hawkins said he will run for governor again in 1972.

* * *

In the race for the Democratic nomination for the office of state superintendent of public instruction, being vacated by the retirement of Dr. Charles F. Carroll, Dr. A. Craig Phillips, executive vice president of the Richardson Foundation of Greensboro and former city school superintendent in Winston-Salem and Charlotte, was the winner. Dr. Raymond A. Stone, president of Sandhills Community College in Southern Pines, was eligible for a second primary as the runner-up, but he declined to call for one. Phillips will face Republican Joe L. Morgan of Marshall in the November general election.

* * *

Legal Action

Desegregation suits in at least 26 N.C. school systems will be reopened by the NAACP Legal Defense and Educational Fund, according to Charlotte lawyer Julius Chambers. Target of the broad legal attack will be the freedom-of-choice method of pupil assignment, a procedure that Chambers said "perpetuates the dual school system in the South." The 26 districts are under federal court orders to desegregate, but continue to use freedom of choice.

North Carolina-7
May, 1968

Chambers said the recent U.S. Supreme Court decision on freedom of choice means that school officials who continue to uphold that assignment method are "advocating disobedience to a court decision." He said freedom of choice "isn't workable as a desegregation method because it squarely places the burden on Negro parents and their children." Chambers added that Negro parents who try to exercise freedom of choice are intimidated if they send their children to white schools. He said, "And intimidation, if it isn't in the form of overt violence like bombings, shootings and telephone calls, is hard to prove."

* * *

Federal District Judge Woodrow W. Jones was asked by attorneys for a group of Negroes to order the consolidation of Statesville's Negro and white, junior and senior high schools, the establishment of geographic zoning for student assignments in other grades, and across-the-board faculty integration. The schools have been under a court-ordered, freedom-of-choice plan since 1965.

There are no whites in predominantly Negro schools in Statesville. School officials said 359 Negroes are expected to cross racial lines in September; they represent 26.7 per cent of the Negro school population. During the 1967-68 school year, four white faculty members crossed racial lines to work in all-Negro schools.

* * *

Federal Judge Algernon L. Butler has yet to rule on the question of whether U.S. Attorney General Ramsey Clark has the authority to accelerate the desegregation of Jones County schools under provisions of the 1964 Civil Rights Act. Donald Brock of Trenton, attorney for the Jones County Board of Education, filed the motion to dismiss the federal action to "eliminate the effects of past racial discrimination."

Brock contends the Civil Rights Act is not valid under provisions of Article 3 of the U.S. Constitution. He said the "statute constitutes unlawful delegation of power to an officer of the executive branch of the government by Congress, without setting up adequate standards to guide and govern the delegate in the exercise thereof."

The U.S. Department of Justice in its reply said that 1,407 white pupils are enrolled in all-white schools while 4,320 of 4,648 Negro pupils attend all-Negro schools. The Jones County Board of Education is sticking to its freedom-of-choice plan, despite the threat it will lose \$270,000 annually in federal funds.

* * *

Community Action

Student groups from both High Point Central High School and William Penn High School have been meeting quietly since January to smooth the transition of Negro students to predominantly white high schools in September. William Penn, an all-Negro school, will be closed at the end of the present term. In September, its students will be transferred to predominantly white Central High School and the almost-completed T. Wingate Andrews High School.

Terry Kearns, student body president at Central High, told a Greensboro Daily News reporter, "We decided that student committees from Central and William Penn could co-ordinate the activities of both the schools as much as possible so that next year the transition will be as smooth as possible." The committees will assure that the outnumbered Negro students will have memberships at the top levels of the student government organization, and in student clubs. The committees plan to meet throughout the summer to iron out other details.

* * *

While the proposed merger of the white and Negro teacher organizations has been held up, plans for a merger of the white and Negro Parent Teachers Associations have been proceeding quietly and smoothly, according to the Greensboro Daily News. The N.C. Congress of Parents and Teachers (white) is expected to merge with the N.C. Congress of Colored Parent Teacher Association in 1969. Mrs. Riley Monds of Hertford, president of the white group, said the Negroes have agreed to the merger.

* * *

What They Say

Pupils in the state's 169 public school systems will continue to be subject to freedom of choice as long as that freedom "is administered freely, generously and without fear of intimidation," according to Dr. Charles F. Carroll, state superintendent of public instruction. His comments came after the U.S. Supreme Court ruled that freedom of choice is acceptable only as long as it does not tend to perpetuate segregated schools.

Carroll said the decision will affect N.C. systems only if those systems did not show good faith in the use of freedom of choice. "The full resources of the state are in support of the units of this state that come into court 'with clean hands,'" Carroll said. "The court's decision has not ruled out freedom of choice--if it works."

* * *

North Carolina-9
May, 1968

Negro activist Howard Fuller, speaking to striking Hillsborough Central High School students (See Schoolmen), said the students should work for more than just integration of schools. He said, "What good is integration if your black girls cannot be cheerleaders or majorettes? All the white people want are your beautiful black men to carry their balls to the goal line."

"The time has passed when we go through an educational program that does nothing but glamorize the white man. If schools don't teach black history, they should not teach history at all. We're tired of a school system that teaches young black girls to be maids and servants and young black men to be soldiers and dropouts. If things don't start changing around here, this is going to be a summer for North Carolina to remember."

* * *

In a speech in Chapel Hill, Dr. James E. Cheek, president of predominantly Negro Shaw University in Raleigh, described student militancy as "our last best hope for the preservation of a society characterized by justice, fraternity and equity." He said:

"American higher education is one of the last remaining vestiges of medieval feudalism. It has advocated the necessity for change in the larger social order while it has been the most consistent advocate of no change for itself."

Carefully differentiating between student anarchism and student militancy, Cheek said militant students have "given contemporary meaning and substance to American history. They have learned better than we have taught them about what this nation is all about."

* * *

Dr. William C. Archie, executive director of the Mary Reynolds Babcock Foundation in Winston-Salem and former director of the State Board of Higher Education, told the graduates of St. Augustine's College in Raleigh (a predominantly Negro institution supported by the Episcopal church), to "join black power with white power, and bridge the gap with green power."

Dr. Archie said, "When the black man achieves a greater measure of political power, then he can join hands with those who have greater economic power, which will achieve more green power." He said he felt the "American commitment for equal opportunity for everyone" could be achieved. "We have a particular obligation to improve the public and private education of the black people, who for so long have had a dual system of education," Archie said.

* * *

North Carolina-10
May, 1968

As the baccalaureate speaker at Elon College, Dr. Ben Mohr Herbst of New York City, president of the United Church of Christ, told the graduates that white persons who supported civil rights causes in the past ought not to expect gratitude from the Negroes they supported.

"You don't buy people, no matter how much you serve them or how much you sacrifice for them," he said. "Some of us have had to learn this the hard way in the present crisis in the nation. We mistakenly believe that because we have stood beside our brothers, fought for them, that they ought to be so grateful that they allow us to make their decisions for them."

He said that white support of civil rights causes has gained only those rights that were due the Negro from the beginning. He added that Christians support civil rights causes "for love's sake and not as a means of control."

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OKLAHOMA HIGHLIGHTS

A study of school enrollment figures in Oklahoma City showed the Board of Education has a long way to go to achieve the 65-35 white-to-Negro pupil ratio it wants throughout the school system.

The Tulsa Board of Education was notified in May that a complaint of alleged racial discrimination has been filed against it through the U.S. Department of Justice.

The steering committee of an Oklahoma City school board advisory group laid out four main areas of study by subcommittees as part of the effort to work out a long-range desegregation plan for the school system.

#

OKLAHOMA

Schoolmen

Figures released in May showed the Oklahoma City Board of Education has a long way to go to achieve the racial balance it considers most workable in implementing a court-approved desegregation plan this fall. In other activity, the board set a policy on transfer of students from two suburban districts that is designed not to upset the projected racial balance in the Oklahoma City district. And efforts continued at four schools involved in a court-ordered pairing to ease the pupils over the transition period. Student bodies at the schools held Student Council elections looking forward to the 1968-69 year.

The Oklahoma City board has chosen a 65-35 white-to-Negro ratio as the one most workable in implementing the desegregation plan. During the 1967-68 year only 10 of the 116 schools in the system had a racial balance approaching that ratio. Three are elementary schools, three are junior-senior high schools and four are special education schools. In all but one of the remaining 106 schools, Negroes are overwhelmingly in the majority (more than 90 per cent) or overwhelmingly in the minority (less than 10 per cent).

During 1967-68 Oklahoma City schools had 15,702 Negro students. They represented 20.9 per cent of the total enrollment of 75,116. One of the board's goals is to desegregate all schools in the system in a ratio proportionate to racial population of the entire district.

Figures show, however, that 61 of the Oklahoma City schools had no Negro students. In 29 other schools 642 Negroes were enrolled, while 26 additional schools had 15,060 Negro students. Most of the Negro school attendance was in the northeast quadrant of the city, where Negro residential concentration is greatest. Only 885 Negroes, or about 5.6 per cent of all Negro pupils, attended schools outside the northeast section.

Only 58 Negroes were enrolled in schools in the southwest part of the city and 47 of these were in four elementary schools. Another 96 Negroes attended schools in the southeast section--all of them in Walnut Grove School. Some 730 Negro students were enrolled in the northeast part. They included 221 in 13 elementary schools and 443 in six secondary schools. All but 30 of the latter group were at Central High School, one of the four schools involved in the pairing arrangement.

Oklahoma-2
May, 1968

Central will become a junior high and be paired with Classen High School in one attendance area. The other pair will be Harding High School, which will become a junior high, and Northeast High School. The pairing was one of the key features of the desegregation plan ordered by U.S. District Judge Luther Bohanon.

The board's figures show further that Oklahoma City public schools had 59,417 non-Negro students during 1967-68 but that fewer than one-third of them, or 18,303, attended schools with one or more Negroes.

The new transfer policy, adopted by the school board May 6, applies to students moving into the Oklahoma City system from Millwood and Pleasant Hill elementary school districts. On the recommendation of Supt. Bill Lillard the board ruled that Pleasant Hill students living north of Northeast 26th Street should attend Kennedy Junior High School, which has been predominantly Negro. In the past, such students have been assigned to Northeast.

Millwood students living south of the Northwest Expressway will be assigned to Northeast and those living north of the expressway, to John Marshall High School. With these assignments, board members said, the projected racial balances of white-to-Negro students in each school will change little.

Board members have also agreed to extend through next year all majority-to-minority transfers granted this year but to hold until fall new requests for transfers into the four schools to be paired. The majority-to-minority transfer rule was another part of the desegregation plan ordered by Judge Bohanon. It allows students to transfer out of their attendance area from a school where their race is in the majority to one in which it is in the minority.

On the pupil level the process of merging four separate student bodies into two for the fall term was already under way before the spring semester ended.

* * *

Senior high students of both Classen and Central held a "political convention" May 14 and elected Classen Student Council officers for 1968-69. Each school previously had selected 25 delegates and one candidate for each office. The delegates were to become council representatives. All four officers chosen for next year's combined Student Council were Classen students but Central delegates accepted the results with good grace. Three of the four Central candidates were Negroes.

Oklahoma-3
May, 1968

One Central leader said some students from his school, particularly the Negroes, still are apprehensive about the pairing. But, he said, they are growing less apprehensive each time they meet with Classen students. The 413 Negro students at Central during the past year represented 38 per cent of its student body. Officials expect the Negro total to drop to 125, or 11 per cent, in the coming year.

At the other schools to be paired, Northeast and Harding, students agreed on a board of directors system for Northeast's Student Council next year. In elections conducted in the school week May 10-17 four students were selected at each building to form the eight-member board of directors that will govern Northeast's Student Council. The board will elect officers some time this summer.

These procedures led one school board official, Merle Jennings, administrative assistant in the secondary education department, to comment that, if the four schools accomplish the pairing and increased desegregation without trouble this fall, much of the credit will belong to the students. He said students who at first protested and petitioned against the pairing have settled down and worked out specific plans to help desegregation work.

On a point causing concern especially to white parents, Dr. Jesse Lindley, director of secondary education, assured that white students will not be held back in the desegregated classrooms to allow Negroes to catch up. By the same token, he said, efforts will be made to keep the Negro students from being overwhelmed by the educational gap between themselves and white students.

Lindley said schools affected by the desegregation plan will operate under a "grouping" process, which allows each student to proceed at his own rate of learning without disturbing the progress of another student.

Students will be grouped in classes depending on their ability in each subject, Lindley explained. A student's ability will be determined by tests and previous performances in each class. Thus, a student who is good in English and poor in mathematics could be in the top English class and the bottom math class, Lindley pointed out. In either case, the student will be allowed to progress at his own rate to the maximum of his ability.

* * *

Oklahoma-4
May, 1968

Legal Action

The Tulsa Board of Education was notified May 22 by the U.S. Department of Justice that a complaint alleging racial discrimination has been filed against the Tulsa school system. Carl C. Beesley, board president, said specific contents of the complaint would be made public after board members had a chance to review them.

The Rev. Robert Beckstrom, a board member, said the complaint was made by a parent of a Negro pupil. No other identification was indicated by the department, he said. Beckstrom said the complaint refers to attendance-area boundaries, transfer policy, cost of new buildings and additions to old ones and assignment of teachers. "It is to the effect that we are administering in such a way as to perpetuate racial segregation," Beckstrom said.

Beesley said the board will try to comply voluntarily with the Civil Rights Act of 1964 if, in the opinion of the justice department, the Tulsa School District is in violation. Tulsa is one of 10 Oklahoma school districts warned by the Department of Health, Education and Welfare this spring that they must take certain steps to meet HEW requirements of school desegregation or face loss of federal financial assistance.

* * *

Community Action

The steering committee of an advisory group set up by the Oklahoma City Board of Education recommended four areas for subcommittee study as it met for the first time May 7. The group is the 35-member Advisory Committee on Equality of Educational Opportunity. It was named by the school board to help work out a long-range desegregation plan for the Oklahoma City school system.

Dr. Willis Wheat, chairman of the advisory committee and former dean of the Oklahoma City University School of Business Administration, said the steering group recommended these subcommittees:

1) Human Relations--To take a look at "some of the stereotype problems that hang people up in a racial-integration situation. Hopefully the committee can identify the problems and suggest ways to overcome them," Wheat said.

2) Neighborhood Schools and Magnet Schools--To study the advantages and disadvantages of the neighborhood school concept at all grade levels.

Oklahoma-5
May, 1968

3) Educational Parks--To consider the idea of a centralized school facility serving students from all areas.

4) Continued Pairing--To study pairing of other schools, as Harding and Northeast, and Central and Classen are to be paired.

During May reports circulated in Oklahoma City that a proposed \$115 million capital improvement bond issue would be used in part to promote cross-town busing of school children. The bond issue program--which later went down to defeat in all but one item--contained a proposal for the purchase of 60 new buses for a city-owned and -operated bus system.

Earl Sneed Jr., chairman of the Central Oklahoma Transportation and Parking Authority, labeled the report "absurd." Some of the authority's older buses have been used to transport school children in certain remote areas under a contract with the Board of Education. Sneed said the authority had not even discussed use of the buses in a cross-town school busing program.

Foster Estes, school board president, said he had received telephone calls from worried school patrons. But he said the school board has not been approached by anyone from the city in regard to a lease or to make a proposal on cross-town busing. Estes said he is opposed to the whole idea of moving children across town to achieve a racial mixture in the schools. He pointed out that nothing in Judge Luther Bohanon's order for pairing schools would require such action.

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SOUTH CAROLINA HIGHLIGHTS

Compliance problems lead a number of school districts to take steps to end dual school systems.

A survey indicated the year-old compulsory attendance law is increasing the population of districts that have implemented it.

Overcrowding remains a serious problem in many S.C. schools.

Project T-Square faces a bleak future.

Problems growing out of shootings during February riots at S.C. State continued to play a major part in the news.

The General Assembly cleared a record \$375 million appropriations bill, including a \$200-a-year teacher pay raise.

A federal court struck down South Carolina's virtually unused tuition grants law. Elloree's schools were ordered to eliminate the dual school system.

Catholic parochial schools announced steps toward complete desegregation.

The problem of interracial communications was explored by a panel of outstanding South Carolinians.

The Supreme Court's freedom-of-choice decision caught few South Carolina schoolmen by surprise.

#

South Carolina-1
May, 1968

SOUTH CAROLINA

Schoolmen

Compliance negotiations with the U.S. Department of Health, Education and Welfare continued to dominate the education scene in South Carolina in May, with a number of districts in various stages of ending their dual school systems. The Columbia school district (Richland No. One), threatened with the loss of \$2 million in federal funds, held compliance negotiations with HEW and later announced it is going to zone approximately 10 per cent of the district in the first step in meeting compliance requirements. Other steps are to come after two separate studies into the district's building needs are completed. One is being done by a private firm; the other under a Title IV grant of the Civil Rights Act.

In nearby Richland-Lexington District Five, officials announced they would close the district's single Negro school next fall and convert it into a junior high school for both races. Negro students in elementary and high school grades will be sent to other schools in the district. After winning approval of its plans, the district received a Title IV grant to finance seminars to instruct teachers in the teaching of pupils at all educational levels.

The Brookland-Cayce schools, also in the Columbia area, adopted a plan to eliminate its dual system, shortly after legislative approval of a \$2 million bond issue for building improvements in the district that would help it end the separate system. According to plans, two Negro elementary and one Negro high school will be phased out.

Richland District Two, on the outskirts of Columbia, announced details of its earlier-approved plans to end its dual system. The long-range plan includes phasing out of all-Negro elementary schools in two steps, beginning in 1968 and ending in the 1969-70 school year.

Meanwhile, a number of districts continued to worry about loss of federal funds if they were not able to come into compliance. The Abbeville schools said they were trying to balance their budget, regardless of a \$316,000 loss in federal funds. Some teacher positions will be left vacant and a few elementary classes will be combined.

At the same time, more help with desegregation problems became available to the school districts. The University of South Carolina's School of Education announced the opening of a special office to aid the districts with their technical problems of meeting compliance.

* * *

A survey, taken one year after passage of a compulsory attendance law for South Carolina's schools, showed some indications that the law is helping to bring children back to school. The act, passed in March, 1967, after the absence of such a law for 12 years, requires attendance by most children from seven to 16. However, school districts have until 1974 to implement the law.

At the time of the survey, conducted by S. G. Stukes, supervisor of school attendance for the State Department of Education, the 63 districts that have already implemented the law showed an enrollment increase of 5,017 students. The 43 districts that have not yet adopted the law recorded a net decrease of 599. Many of these, however, are small rural districts, which are losing population anyway.

The 63 districts under the law include most of the metropolitan districts and represent three-fourths of the state's public school population.

* * *

South Carolina schools are still struggling with the problem of overcrowded classrooms, according to the 1967-68 annual report of the State Department of Education, which came off the press in May. The report showed that 632 high school teachers were reported to have overloaded classes, while 220 elementary schools had classes above the recommended 30-pupil limit.

"In both the secondary and elementary schools, there are far too many overloaded classrooms," wrote Dr. J. Carlisle Holler, director of instruction. Holler called for the legislature to take whatever steps are necessary to "make it unprofitable for a school district to jeopardize the quality of education by placing too many pupils in one classroom."

According to Chief Elementary Supervisor W. B. Crowley, 75,000 elementary students were in overcrowded classrooms during the 1966-67 school year.

* * *

South Carolina's ambitious, broad-scaled program to attack hard-core illiteracy, Project T-Square (Training for Tomorrow), faces immediate cutbacks and a bleak future. Originally planned as a \$19 million, two-year pilot program aimed at reaching 25,000 illiterates, T-Square stumbled at the gate. The project, conceived as a model for the nation, was to have brought together local community action groups and state, local and federal governmental agencies in a co-ordinated assault on the problem of basic learning and job training.

South Carolina-3
May, 1968

There were various start-up difficulties and staffing problems and the federal contribution for the first year amounted to only \$1.4 million. That will be trimmed to \$1 million next year. The cutback forced the project to announce May 16 that it will close its state office in Columbia and move it to the location of a T-Square facility in Sumter. In addition, the T-Square board of directors ruled out all planned expansion for the coming year.

This will leave T-Square with centers at Florence, Sumter and Allendale. Last year these centers placed 360 students in jobs at an average cost of \$2,000 each--a figure considered too high by many officials. T-Square Director Ruben Gray, the only Negro head of a government-related S.C. agency, said job placement was made difficult because most students were Negro women and elderly men. The current effort is on recruiting more whites and younger Negro men.

* * *

In The Colleges

S.C. State College, scene of a student riot that was fatal to three in February, continued as a lively subject of discussion and debate during May. After several days of demonstrations, three students were killed by highway patrol shotguns on the night of Feb. 8, during a wild and controversial incident that has not yet been subject to public investigation. Subsequently, State students, joined by others, marched twice on the state capitol, once disorderly and once orderly, to present a petition of grievances and demands to Gov. Robert E. McNair and the state senate. During May, these were the major developments:

- * The House, after a lengthy exchange, passed a \$6.5 million bond issue to improve facilities at State, but the measure snagged in the Senate on a Republican filibuster.

- * The Senate aired but took no action on several of the demands made by the State students.

- * Chairman Bruce W. White of the State Board of Trustees resigned and Florence Editor James A. Rogers, a board member, was named to replace him.

- * A spokesman for the U.S. Department of Justice said in Washington the FBI investigation of the State College incident had produced no solid evidence that anyone's civil rights were or were not violated during the shootings.

South Carolina-4
May, 1968

* Cleveland Sellers, a leader of the Student Non-Violent Co-ordinating Committee (SNCC) and a group of State students filed suit in U.S. District Court at Charleston charging the police of Orangeburg, where State is located, with a systematic pattern of violence, humiliation and intimidation of Negroes in that city.

Sellers, a South Carolina native, was indicted May 6 on riot charges growing out of his participation in the February disturbances. The other plaintiffs were Negro students who had been arrested on lesser charges during the affair.

The suit, filed May 8, seeks an injunction against prosecutions pending against the plaintiffs and asks that a three-judge court be convened to consider the constitutionality of statutes under which they were charged. It asked that a special master be named to direct and control the Orangeburg police department and that he (the master) hold hearings to allow the defendant officials to present plans for the rehabilitation of the department. The plaintiffs contend they were not engaged in rioting in February, but were engaged in a peaceful protest when they were fired upon by the highway patrol without warning.

Gov. McNair, the State Senate, several S.C. newspapers, and others have called on the justice department to release the FBI report on the Orangeburg incident. All considered it the most impartial probe of the affair possible. The justice department repeatedly declined on the grounds that reports of FBI investigations are confidential. It has said if violations of the law are discovered, it will prosecute.

This has not yet been determined, a department spokesman said May 27, and the investigation is continuing. "We're just not sure one way or the other," he said. He indicated the investigation may continue for another month.

The U.S. Commission on Civil Rights, considering an investigation of its own, said it was holding up "awaiting the results of the justice department." And Coroner Joe A. Dickey of Orangeburg County said he needs the FBI information before holding an inquest.

The FBI report came up again in the State Senate when Chairman L. Marion Gressette of the Judiciary Committee reported May 15 on its findings on four of the grievances submitted to the Senate in the petition of S.C. State students. (In a rare move, the various grievances were parceled out to the various committees of the Senate. Judiciary was the first, and thus far the only one to report.)

South Carolina-5
May, 1968

Rejected was a report for an open hearing on the Feb. 8 incident, saying it would "serve no useful purpose." The report noted that the Senate had joined the governor in asking for the FBI report. It said the justice department had rejected the request but added that if criminal charges are brought by the government, the affair will be fully publicized.

The students' request that charges be dropped against Sellers and another Negro, and prosecution pressed against two whites, charged with discharging firearms on the State Campus Feb. 7, were rejected on the grounds that they were judicial matters over which the Senate had no authority. It also refused to condemn the acts of the two whites by legislative resolution.

The bond bill for capital improvements at the Orangeburg college was held up for some time in the House by Orangeburg Rep. Jerry Hughes, the House Republican leader, and others. Hughes argued that the college was growing too large for the city, thus straining the capacity of its police in dealing with incidents there. It was also argued that the money was a "tribute for disorders." But the moderates carried the day after an appeal from one legislator to "do what is right."

As the bill went to the Senate, Hughes offered a resolution setting up a study of the possibility of constructing or buying an additional Negro college outside of Orangeburg. The word "Negro" was deleted in the Ways and Means Committee on the grounds it is no longer legal to designate white and Negro schools. No action had been taken on the resolution at month's end.

The omnibus bond bill, containing \$33.4 million in funds for a variety of projects in all, cleared the Senate Finance Committee intact May 29 but ran into opposition from a determined GOP minority over the S.C. State section and from other senators over other features.

On May 30 the Senate rejected GOP moves to eliminate the S.C. State section and then to reduce it to \$2 million. Republican Sen. Eugene Griffith of Newberry then launched a filibuster that lasted all night before failing. At month's end other sections of the bill were under attack.

Florence Editor Rogers was appointed May 27 as new chairman of the State Board by Gov. McNair. Lawyer White, from Union, said he had to leave the post because of the press of other work. He predicted continuing unrest on the campus, but added, "I'm not running away from that."

South Carolina-6
May, 1968

On the future of the college, White said, "I think if we can get a president at State who can control the situation and have the respect of the students, the legislature, the governor, and the Orangeburg community, the college has a wonderful future."

The selection of a president, however, has split the school's alumni sharply. The leadership of the alumni association is backing Acting President M. M. Nance Jr. Other alumni segments and the State NAACP have endorsed Dr. Charles H. Thomas, a faculty member and civil rights activist. Former President B. C. Turner, a Harvard-educated Negro, resigned in 1967 after student demonstrations against his administration.

In a related matter, national NAACP Executive Director Roy Wilkins visited South Carolina May 26 and said the State of South Carolina should admit it was wrong in the deaths at Orangeburg. "We can't bring those boys back," he said, "but we ought to sit down and see what we can do in the future. It wouldn't hurt for McNair to admit the error and clear the air."

* * *

Charging that the University of South Carolina had abetted the activities of Black Power militants, an Orangeburg group demanded May 22 that U.S.C. President Thomas F. Jones and Dean of Student Affairs Charles H. Whitten resign. George Malcolm of Orangeburg, chairman of a new organization called the S.C. Truth About Civil Turmoil Committee (TACT), complained that the two educators had knowingly permitted members of the University's Association of Afro-American Students to use USC vehicles for trips to Orangeburg and to Mississippi in April and to charge gasoline on USC credit cards.

TACT charged that Dr. Jones and Dr. Whitten had authorized the use of tax funds "to further the interests of the Black Power agitators." The group also said that both men knew of the Black Power liaison between students and the University of South Carolina and predominantly Negro S.C. State College at Orangeburg. It charged the university was aware of the relationship during the time of the S.C. State disturbances in February.

TACT's statement also called on the legislature to dismiss the three faculty members and 20 students of S.C. State (all unidentified), which the group alleged is at the core of the agitation of the Orangeburg campus. Dr. Jones admitted that the Afro-American students had used U.S.C. cars on authorized student trips but added that student activity fees pay for such expenses and that no tax funds were involved.

* * *

Legal Action

South Carolina's long-dormant tuition grants law was struck down as unconstitutional by a three-judge federal court May 31. The law, passed in 1963 and first used in March, 1964, to provide financial aid to the parents of private school children, is defective because its history indicates that its purpose, motive and effect is to "unconstitutionally circumvent the requirement that the State of South Carolina not discriminate on the basis of race or color in its public school system," the court said.

This language was contained in a one-page opinion filed by Judge Albert V. Bryan of the Fourth Circuit Court of Appeals and District Judges J. Robert Martin and Robert W. Hemphill. When the state first attempted to pay these scholarship grants in 1964, Judge Martin, at the behest of NAACP attorneys, issued a temporary injunction that came in time to stop payment to all but a few parents in two counties.

Under the law, scholarship grants equal to the per-pupil-cost in the public schools were available to students in nonsectarian private schools in school districts that approved such schools. It was first suggested by then Gov. Donald S. Russell (now a U.S. District Judge) after the first public school desegregation took place in 1963.

After a lengthy series of preliminaries, the case was argued before the three-judge panel in Columbia May 13. John Rosenberg of the Department of Justice, which had intervened on behalf of the plaintiffs, attacked the law as a "product of the state's traditional policy of providing segregated education for white children." The government attorney urged the court to examine the legislative history of the act.

Replying to this, David W. Robinson, representing the state, said: "We submit that the motive doesn't matter. If legislation is bad, a good motive does not make it constitutional. If legislation is good, a bad motive does not make it unconstitutional." He also maintained that if "this act is invalidated, it takes away the right of lower income people to send their children to private schools." He also attempted to distinguish between the S.C. statute and similar laws that have been overturned in other states.

An attorney for an all-white private school in Charleston argued the law could assist Negro parents to put their children in private schools and suggested that his client, East Cooper School, would accept a "qualified colored child."

South Carolina-8
May, 1968

The private school movement has grown to over 40 schools in South Carolina without tuition grants. Leaders of the movement had publicly expressed doubt the grants would receive court approval. A few have said the movement would be stronger without them.

* * *

In a detailed directive to Orangeburg District Seven (Elloree) schools, U.S. District Judge Donald Russell ordered its officials to take immediate steps to end their dual school system. In his May 20 ruling, Judge Russell also directed the system to stop its dualbusing, consolidate its athletic program and step up faculty integration. Russell retained jurisdiction in the suit against the district brought by U.S. Atty. Gen. Ramsey Clark.

As for student desegregation, Russell directed the system to use a strict freedom-of-choice plan and deny the student's choice only because of overcrowding at the school he chose. Later in the month, the freedom-of-choice plan was frowned upon in a U.S. Supreme Court decision, which said it is not satisfactory when some other plan achieves a faster end to the dual system. S.C. Atty. Gen. Daniel R. McLeod said the court's decision might have an effect on Russell's ruling.

Russell's order stipulated that teachers be asked to volunteer to change to a school in which they would be a member of the minority race. If this does not result in faculty desegregation to the extent of at least two white and one Negro faculty member where they are a minority race, teachers are to be assigned for 1968-69 on this system until full faculty desegregation occurs.

Russell also directed that allegedly inferior schools formerly maintained for Negroes be brought up to the level of the formerly all-white schools. He ordered that an annual report be made stating enrollment figures, students' name, race, grade, school chosen and present assignment of each student whose choice was denied and the reason for the denial, number of students attending a school of opposite race, number of faculty members teaching across racial lines. The order also stipulated that all new schools are to be located with the object of eradicating vestiges of the dual school system and the effects of segregation.

* * *

Atty. Gen Daniel R. McLeod, in an advisory opinion issued in reply to a request from Greenville County, said May 29 that it is doubtful that county funds can legally be used to participate in federally sponsored anti-poverty programs. Use of such funds for educational purposes is valid, McLeod believes, but most other uses are not.

South Carolina-9
May, 1968

"It is doubtful that the combat of poverty can be classed as an ordinary county purpose or that it comes within the scope of a county's authority to support paupers... It seems apparent that a number of the many programs undertaken in the implementation of the Economic Opportunity Act are not permissible as a proper county purpose."

The S.C. attorney general admitted, however, that it is difficult to determine the category into which many of the programs fall. Presumably, those related to education, such as Head Start, qualify.

* * *

Opposition to a highly contested 1967 legislative act consolidating Charleston's eight school districts was carried to the S.C. Supreme Court May 17 as a group of taxpayers challenged its constitutionality. The group contended that the measure violated the South Carolina constitution, which prohibits special legislation when general legislation should apply.

The case was carried to the court after efforts to stall the consolidation, set for July, failed in the 1968 session of the General Assembly. The measure sparked one of last session's longest filibusters when a group of upstate Republican lawmakers objected to the bill. Underlying considerations were that consolidation would promote more desegregation in the school system.

Counsel for the taxpayers argued in Supreme Court that the law wrongly provides that the individual districts would continue to carry their own burdens for outstanding debts. Attorneys for the school district said the law was being challenged because the present eight boards would be maintained during transition, rather than placing full power in the consolidated district board.

* * *

Political Action

One of the interesting "small" races in South Carolina's June 11 Democratic primary involves three school board seats in Richland County School District One (Columbia). It pits three incumbents against two opponents with solid credentials in the civil rights movement. They are Mrs. Modjeska Simkins, a Negro with holdings in Columbia banking and real estate, and M. Hayes Mizell, white director of the Community Relations Program of the American Friends Service Committee.

South Carolina-10
May, 1968

Both have been active in a broad range of civil rights activities at the state and local level. Mrs. Simkins, a former teacher and aunt of Henri Monteith, the Negro girl whose suit broke the color line at the University of South Carolina, is a frequent candidate for public office. This is Mizell's first try.

Both candidates accused the board of closed or under-publicized meetings and not being representative of average citizens. Mizell called for prompt compliance with federal school guidelines. (The district is now threatened with a cutoff of federal funds due to noncompliance.)

Said Mizell: "We haven't gone through with 100 years of segregation ...to suddenly throw open the door to total integration. There are suspicions and problems on both sides. But the board hasn't dealt with the problem in an open, candid and progressive manner. It does the minimal amount you can get away with." He suggested following "the letter and spirit of the law." Mizell, who was educated in South Carolina, has been a consultant with the U.S. Office of Education.

Incumbents Heyward E. McDonald, Arthur M. Williams and Robert L. Scarborough generally agreed that the desegregation issue was the most vital facing the board. Lawyer McDonald said the board has acted in good faith, following the law as interpreted by federal courts in this state. "The guidelines have been changing rapidly," he said. He also urged greater liaison with the Negro population.

Said Williams, president of the S.C. Electric and Gas Company and a board member for 12 years: "If he (Mizell) thinks we don't agree with all the U.S. Supreme Court is doing, he's damned right. But we've got to stay in compliance. We've got to keep our school system in the mainstream of American education."

Statewide, as well as locally, the primary has been lackluster. The only statewide race pits incumbent U.S. Sen. Ernest F. Hollings against outspoken liberal John Bolt Culbertson, who came close to winning a Democratic Senate nomination in 1966. Culbertson, a colorful maverick, claims solid Negro and labor backing but Hollings won his seat in 1966 on the basis of Negro support and he has powerful Negro leaders in his camp.

There are primary contests in four of the six congressional districts. Racial interest centers on the First District, where Armed Services Committee Chairman L. Mendel Rivers is opposed by a Negro lawyer, and on the Sixth, where 30-year House veteran John L. McMillan, chairman of the House District of Columbia Committee and long a target of the capital's Negroes, faces lively opposition from Florence attorney Richard Dusenbury.

The state's computerized registration center announced shortly before the registration deadline that Negroes had lost the registered majorities in the seven counties where a February check showed them ahead. Heavy white registration erased Negro edges in Allendale, Beaufort, Berkeley, Jasper, Lee, Orangeburg and Williamsburg counties. In a two-month period, 158,746 whites and 36,244 Negroes registered. Even a 2-1 Negro lead in Orangeburg wound up as a 9,500 to 8,700 white majority. Negroes had slightly less than one-third of the statewide registration.

* * *

Community Action

The first step toward totally desegregating parochial schools in Columbia was announced May 16 by a Roman Catholic official in Charleston. The Rev. John M. Bond, assistant superintendent of Catholic schools in the Charleston Diocese, said that first-through-third-grade students at all-Negro St. Martin Forres School will be transferred in the fall to either St. Peter's Elementary or St. Joseph's Elementary.

The elimination of the first grade at St. Martin's will be followed by a study into the feasibility of converting it into a junior high school. The transfer will involve a total of 106 students in the three grades. Plans for the desegregation of the Roman Catholic schools in Charleston had been announced earlier and desegregation plans of others in the state is expected to follow soon.

* * *

The problem of interracial communications is one of the major obstacles to be overcome in South Carolina and the nation, a panel of diverse South Carolinians agreed at a May 7 meeting on the campus of the University of South Carolina. Brought together before a biracial audience by the National Conference of Christians and Jews, Columbia Chapter, were:

* Matthew Perry, Negro chief counsel for the state NAACP, who has brought most of the anti-discrimination suits filed in this state.

* Bishop Ernest L. Unterkoefler, the ranking Catholic prelate in South Carolina.

* James Rogers, editor of the Florence Morning News and new chairman of the board of trustees of predominantly Negro S.C. State College.

* Robert S. Davis, a Columbia business executive and leading education layman at both the state and local levels.

South Carolina-12
May, 1968

Davis, long-time former member of the Columbia school board, drew applause with the comment that South Carolina is "very fortunate to have Matthew Perry and the NAACP." Other Davis comments: "Less than 90 days ago, a new day was born in South Carolina in race relations. We woke up one morning to find complacency had caught up with us (referring to the slaying of three students during a Feb. 8 riot at S.C. State)... Youth must be recognized as serious, deep-thinking people." He urged businessmen to hire Negro youngsters.

Rogers agreed with Davis that "the tragic events at Orangeburg (home of S.C. State) shocked us out of a comfortable complacency."

On achieving harmony among the races, Rogers asked rhetorically, "How can we ever come to understand them (Negroes) unless we know them as individuals? ... We've missed a great deal over the years by not realizing that talent, brains, sophistication know no color lines."

* * *

A group of white and Negro students at the University of South Carolina have launched a project with university blessing to provide summer training and recreational opportunities for children in slum areas of the Columbia metropolitan area. The group, also backed by leading Columbia businessmen, hopes to raise \$50,000 for the program, which is expected to provide summer jobs for about 250 high school and college-age students, mostly Negroes, as workers in the program.

Negro singer James Brown, known for his advocacy of Negro self-help programs, contributed proceeds from a concert staged in Carolina's football stadium May 22. At that event, U.S.C. President Thomas Jones told the desegregated audience that he was "proud that a group of university students, white and Negro, have come forth with something for meeting the needs of the young people..."

* * *

What They Say

The U.S. Supreme Court's thumbs-down decision on freedom of choice May 27 caught few South Carolina schoolmen by surprise, but officials said it may cause some changes for some school districts. State Superintendent of Education Cyril B. Busbee said, "The decision in effect gives judicial support to the guidelines previously established by the U.S. Office of Education."

South Carolina-13
May, 1968

State Atty. Gen. Daniel R. McLeod said the decision would affect the situation in South Carolina, where approximately one-third of the state's 105 districts are in noncompliance with the Civil Rights Act. McLeod said the ruling may affect a recent ruling by U.S. District Judge Donald Russell, ordering the Elloree schools to desegregate. That ruling had an aspect of freedom of choice in its provisions.

While South Carolina schoolmen were expecting the court's ruling as it came, many had used the point that the question had not been settled as they proceeded with the negotiations with the U.S. Office of Education.

After the ruling, the Columbia Record wrote editorially that "school boards are now required to take affirmative action to dismantle the 'state-imposed dual system' and to create a 'unitary, nonracial school system.'" The editorial continued, "In the Columbia system and others in South Carolina, a number of schools have not lost their racial identification under freedom of choice. Some schools are still identifiable in the public mind as 'Negro' and some as 'white.'"

"Legally obligatory alterations will be made, and soon, in many South Carolina districts. To those who complain that white students will flee the public schools, the court reiterated an earlier opinion: 'These constitutional principles cannot be allowed to yield simply because of disagreement with them.'"

* * *

Shortly before the court's decision, Columbia's morning newspaper, The State, continued a debate with the U.S. Office of Education's Atlanta regional civil rights director, Paul M. Rilling. Replying to an editorial, Rilling wrote a letter of defense for his department's actions in regard to school desegregation compliance in South Carolina. Rilling stated that it is the policy of his office that "if under a freedom-of-choice plan, vestiges of a dual school structure remain, the school system is responsible for taking whatever additional steps are necessary to complete the desegregation of its schools."

In an editorial on the same page with Rilling's letter, The State contended that "what HEW is attempting to say--without saying it--is that school officials must create racial balance.

"HEW weasels for good reason," the editorial continued. "Section 401 of the Civil Rights Act specified that desegregation 'shall not mean the assignment of students to public schools in order to overcome racial imbalance.' HEW prefers not to see this section."

* * *

South Carolina-14
May, 1968

Two S.C. assistant attorneys general discussed school laws before a May 15 meeting of the S.C. Association of School Boards. Clarence Goolsby outlined the results of a study of state education statutes just completed by a joint legislative committee and the State Department of Education.

He said 422 statutory proposals are being considered. One would create a single school district in each county. Presently there are 46 counties and 105 school districts. Each county district would have seven elected trustees. Larger counties would be permitted to have more than one district. Board candidates would have to have 100 signatures of a nominating petition to assure an "intelligent board."

Assistant Atty. Gen Ben DeBerry discussed civil rights compliance. He said the question of operating in or out of compliance had never been determined by a court of appellate jurisdiction. "While the Office of Education requires progress from year to year.... the district courts have expressly approved plans if they are without intimidation of students and parents," he said. (The comments of DeBerry came before the announcement of the U.S. Supreme Court's decision on freedom-of-choice plans.)

* * *

The Charleston News and Courier had editorial praise May 10 for the expanding private school movement in the port city. It hailed the announcement that East Cooper Private School plans to build a library and classrooms for grades 5-8. East Cooper and four other schools in the area were founded in 1964 just after public school desegregation reached the Charleston area. East Cooper parents, denied state tuition grants by a federal court injunction, intervened as defendants in the case, which was decided against them in May.

Said the News and Courier: "These facilities are an example of private enterprise in education...They represent a sacrifice on the part of those who believe the quality education is the best available for their children."

East Cooper insisted in court that it will accept qualified Negro applicants but that none have applied.

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TENNESSEE HIGHLIGHTS

A speed-up in desegregation is expected this fall in at least 41 Tennessee school districts as a result of the U.S. Supreme Court's decision in the Jackson, Tenn., freedom-of-choice case. There were other desegregation developments in Nashville, and in Robertson and Wilson counties.

U.S. District Court was asked May 21 to block the expansion of the University of Tennessee's Nashville Center, a proposed \$4.2 million project, because it would "perpetuate a policy of racial segregation" at the center and at predominantly Negro Tennessee A&I University.

Five Negro teachers who charged the Williamson County Board of Education did not rehire them on grounds of racial discrimination lost their federal court suit for reinstatement and back wages on May 16.

The president of Tennessee A&I State University for the past 24 years, Dr. W. S. Davis, requested permission to retire effective Sept. 1.

Teaching of Negro history in both the Nashville and Memphis school systems was discussed during the month.

Nashville's revised Head Start program for 280 preschoolers was approved May 15 by Mayor Beverly Briley.

A series of disturbances at Carver High School in Memphis during the month has led to the creation of a 15-member parents committee to try to deal with the problem.

#

TENNESSEE

Schoolmen

At least 41 Tennessee school systems are expected to speed up school desegregation this fall as a result of the U.S. Supreme Court's rejection of freedom-of-choice plans. Ruling in a Jackson, Tenn., case, the high tribunal held on May 27 that freedom-of-choice plans could not be used if other methods are available or if they perpetuate segregation.

Justice William J. Brennan Jr., who wrote the unanimous opinion, said that the court was not disallowing all freedom-of-choice plans although experience to date indicates they have been ineffective in promoting integration. But the court said:

"Where it offers real promise of aiding a desegregation program to effectuate conversion of a state-imposed dual system to a unitary, nonracial system there might be no objection to allowing such a device to prove itself in operation. On the other hand, if there are reasonably available other ways... 'freedom of choice' must be held unacceptable." Among the "other ways" cited was zoning, promising speedier and "more effective conversion to a unitary, nonracial school system."

In Jackson, where the desegregation litigation began several years ago, City Attorney Russell Rice said the immediate result for Jackson schools will be "radical changes" by September. "The main objection the court had to the City of Jackson plan," Rice said, "was the transfer provision which permitted a student to attend any school in the system. The court said that such transfer perpetuated segregation and ordered the transfer eliminated, and that hereafter students... must attend the school located in the district in which the student lives."

Dr. Robert Sharp, director of the Equal Educational Opportunities Office in the State Department of Education, said most of Tennessee's 151 school districts "permit a choice of schools if transportation is provided by the student or in hardship cases." But he said 41 of the state's districts follow plans where "race is of significance." Eighteen of these systems are operating under federal court-approved plans and it is expected in these systems that Negro leaders can seek judicial review in view of the new decision.

The 23 others are following freedom-of-choice plans without federal court approval. Of these, only the plans of Tipton County and Covington in West Tennessee have not been approved by the U.S. Office of Education and federal funds stopped as a result. Tipton County is involved in a federal lawsuit and Covington, its county seat, has submitted a new plan to federal authorities for their approval.

The remaining 21, most of them in West Tennessee, include the county systems of Lauderdale, Dyer, Lake, Gibson, Hardeman, Chester, McNairy, Hardin, Henry, Montgomery-Clarksville, Hickman, Maury, Robertson, Sumner, Trousdale and Hamilton, and the city systems of Union City, Humboldt, Milan, Alcoa and Franklin. Other school officials throughout the state were studying the court ruling for possible effects on their districts.

In a flurry of desegregation developments during the month, the Robertson County Board of Education on May 25 adopted a freedom-of-choice plan for consideration by the U.S. Department of Health, Education and Welfare. HEW had requested a plan whereby the district's dual school system would be eliminated, threatening that federal funds would be discontinued.

Supt. J. B. Whitman said the plan approved was a "long-range" program, under which one central high school, three junior high schools and 10 elementary schools would be operated. The superintendent said he simply did not know if the alternate plan adopted would be acceptable to federal officials.

Wilson County Supt. Albert Jewell denied charges, contained in a new federal court petition filed at Nashville, that his system has failed to bring about desegregation of classes. His May 15 statement was in response to a request by a group of Negroes that a team of education experts be appointed to study a plan for removal of patterns of segregation in Wilson County schools. Wilson County was ordered by federal court to desegregate several years ago and is required to file an annual report on progress under the plan. Negro attorneys contended the report showed unsatisfactory progress and, in some cases, misrepresented the picture.

* * *

In Nashville, the Metropolitan School Board voted May 28 to reconsider its earlier decision to rezone 65 students in the Cornelia Fort Airport area from Inglewood to Dalewood School. The action came after a committee told the board that rezoning would serve to create racial imbalance at Inglewood.

Tennessee-3
May, 1968

"Dalewood, which is the same distance from several Negro areas in Inglewood, has no Negro students," said Marion E. Smith, spokesman for the committee. "As I understand the recent Supreme Court decisions on school desegregation, this rezoning is in violation of the law."

The board voted three to two to reconsider its action in approving the zoning proposal. Dr. John H. Harris, school director, said he had never heard of a child being described by race at a zoning hearing. "We changed the students because they were already being bused to Inglewood," Harris said, declaring the board tries to send students to schools nearest their homes when possible.

The Rev. Robert E. Lemay, minister of the Eastwood Baptist Church, said he wanted his daughter transferred from Inglewood if "racial imbalance" continues. "I would hate to see my daughter in a classroom that was all Negro, because she is very bright and they are slow," he said. James Hammond, spokesman for a group of residents in the affected area, presented a petition supporting the board's original decision.

Meanwhile, HEW officials in Washington released figures showing Tennessee ranks third among 11 Southern states in the percentage of Negroes attending biracial classes. Tennessee was listed with 18.4 per cent of its 162,693 Negro students in desegregated schools. Texas was first with 26.1 per cent and Virginia was second with 20.4 per cent.

* * *

Legal Action

A federal court suit was filed in Nashville May 21 to halt expansion of the Nashville center of the University of Tennessee on grounds it would "perpetuate a policy of racial segregation" at the center and at predominantly Negro Tennessee A&I State University. Filed on behalf of five citizens, including teachers at both institutions, the suit charged:

"The sole reason for the expansion of the Nashville extension and duplication of degrees is to insure the perpetuation of a dual and racially segregated system of state-supported universities within the city of Nashville." Specifically asking that U.S. District Court enjoin the University of Tennessee from spending \$4.2 million to build a new Nashville center to be used as a four-year institution, the plaintiffs applied for a preliminary injunction.

Tennessee-4
May, 1968

U.S. District Judge Frank Gray Jr. ruled May 31 that the case would be tried on its merits on July 22 without an injunctive hearing. This decision followed a meeting with attorneys for both sides.

Dr. Andrew Holt, UT president, said the suit was "based on some misunderstandings of our Nashville operations." Plans for the center, which UT has operated for many years largely as a night extension school, called for degrees to be granted in the new facility.

Nashville attorneys George E. Barrett and John Mitchell filed the suit on behalf of these plaintiffs: Patrick J. Gilpin, a member of the university center faculty; Miss Rita Sanders, a teacher at Tennessee A&I; Ernest Tarrell, an A&I student; Harold Sweatt, a senior at Wilson County High school who said he plans to attend A&I, and his father, Phillips Sweatt of Mt. Juliet, Tenn.

Named as defendants were Gov. Buford Ellington, State Education Commissioner J. Howard Warf, members of the State Board of Education; the University of Tennessee and its board of trustees; Dr. Holt; A&I University and its president, Dr. W. S. Davis; the U.S. Department of Health, Education and Welfare; and the U.S. Office of Education.

The complaint was filed as a class action under the 1964 Civil Rights Act and charged that the plaintiffs' rights are violated under the 14th Amendment. "The present expansion plan is reasonably calculated to insure that enrollment of the Nashville extension will remain predominantly, if not overwhelmingly, white and that enrollment at A&I will remain predominantly, if not overwhelmingly, Negro," the suit stated.

The suit also charged that the statute creating A&I is unconstitutional and that defendants "have not, and are not, appropriating sufficient fundings for salaries for professional and staff personnel, for per pupil expenditures, for library facilities...equal to that of predominantly white state-supported institutions." Plaintiffs contended that state officials are under a "constitutional duty" to adopt a plan calculated to increase the percentage of students receiving a desegregated college education.

* * *

U.S. District Court Judge William E. Miller on May 16 ruled against five Negro teachers who had brought suit against the Williamson County School Board charging they had been deprived of teaching positions on grounds of racial discrimination. Miller said the court cannot substitute its judgment for that of the school board in matters relating to teacher employment unless there is shown an arbitrary exercise of power. He said there was "no evidence" to substantiate the claims of the defendants and that there was ample evidence to the contrary.

Tennessee-5
May, 1968

The lawsuit charged that the teachers were not rehired for the 1967-68 school year because of discrimination, and asked reinstatement along with back pay and allowances for attorney fees. Plaintiffs included D. B. Fuller Sr., Mrs. Elizabeth J. Farmer, Mrs. Joyce B. Martin, John H. Smith Jr. and Mrs. Eva Myers Lee, all of whom previously had been assigned to Natchez High School, a predominantly Negro school consolidated last year with predominantly white Franklin High School. Four of the five were not offered re-employment and Mrs. Martin turned down an offer to become a science teacher at Bethesda High School.

Judge Miller said the record showed the release of the plaintiffs was not based on consideration of race but occurred after what he called a qualitative comparison, using objective standards. Specifically, Miller said the plaintiffs had no standing to raise any issue of alleged discrimination.

* * *

In The Colleges

Dr. Walter S. Davis, president of Tennessee A&I State University at Nashville, requested May 30 that the State Board of Education permit him to retire. Davis, 62, was granted leave of absence earlier this year because of illness. A 1931 graduate of the school, he has served as president of the predominantly Negro university for more than 24 years. In his letter to State Education Commissioner J. H. Warf, Davis asked to be relieved of his duties Sept. 1 and said the request was prompted by "health reasons."

Warf said when the request is approved by the board, Davis will be eligible for retirement benefits and the permanent title of president-emeritus. His request is pending before the board, which will consider it at its next meeting. A committee of board members will be named to search for a successor.

A&I alumni groups have requested that they be consulted in the selection of a new president. Davis is the second state university president to step down in recent weeks. Earlier, Dr. Quill E. Cope resigned as head of Middle Tennessee State University at Murfreesboro to join the faculty of the University of Tennessee. His successor has not been named.

* * *

Tennessee-6
May, 1968

Miscellaneous

Dr. John H. Harris, director of Nashville-Davidson County schools, said on May 9 that teaching of Negro history in the system may come in the not-too-distant future. Appearing on an educational television program, he was asked if the addition of Negro history to the school curriculum was a possibility. He said: "The climate is good. I know progress will be made."

In Memphis, a group of students asked the board of education on May 24 to include multiracial textbooks with "meaningful references about Negroes" in the curriculum. This request was similar to one presented earlier by the Memphis branch of the NAACP and a Black Power group known as "the Invaders."

One of the students said one textbook now being used on Tennessee history refers to Negroes as "lazy, irresponsible and bumbling." He asked, "What can a child who goes to a white school think about me when he sees me on the street but that I'm lazy and irresponsible because that's the way it's printed in black and white?"

* * *

Mayor Beverly Briley on May 15 approved the Metropolitan Action Commission's revised Head Start program for Nashville and sent it to the U.S. Office of Economic Opportunity in Atlanta for its consideration. The program first was submitted in February but rejected by OEO because of deficiencies in site locations and in some of the health and medical components. The deficiencies are said now to have been corrected. As revised, the program will include 280 preschool children, slightly more than the 225 included during the past year.

* * *

Groups of Carver High School students at Memphis damaged their school on May 20 in a series of attacks that left more than 150 windows broken, one student's desk in ashes and other debris. No one was arrested during the outbreak, which saw about 250 younger students "and some outsiders" roving the campus in small groups.

Principal R. B. Thompson, commenting on the disturbance which erupted among students in the cafeteria at first, said: "I don't know who started it. I don't know what started it. I don't know how we can stop it. But we're going to try."

Tennessee-7
May, 1968

Two adults had been arrested on disorderly conduct charges three days earlier in connection with other violence at the school. On May 23, a 15-member committee of parents was formed as a result of the disturbances. The committee was an outgrowth of an earlier meeting attended by about 300 parents and faculty members called together by Mrs. Lester Snell, Carter PTA president, and Principal Thompson.

Several members of the Invaders, a Black Power group, which has submitted a list of "grievances" including demands they be given a place on the campus as an organization, attended the community meeting. The Invaders complained of overcrowded conditions, inadequate facilities and high cafeteria prices, among other charges.

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TEXAS HIGHLIGHTS

The U.S. Department of Justice complained that Houston ISD failed to make "meaningful progress" in desegregation. Kilgore and Gilmer were ordered to abolish dual schools by 1969. Austin and other districts moved to adjust to the Supreme Court's ruling on free-choice plans.

Dr. Henry Bullock, professor of sociology at Texas Southern University, was employed to teach a new "Negro in America" history course at the University of Texas in the 1969 spring semester.

Austin citizens quickly petitioned for a referendum on an open-housing ordinance adopted by the City Council at request of University of Texas people, and others.

Lt. Gov. Preston Smith, a conservative, defeated Don Yarborough, a liberal supported by racial minority groups, for the Democratic nomination for Governor. Smith will be favored to win in November over Paul Eggers, a Republican.

Many Commencement speakers spoke out against violence, and campus extremists.

#

Texas-1
May, 1968

TEXAS

Schoolmen

Houston ISD has failed to make "meaningful progress" in desegregation, two U.S. Department of Justice attorneys alleged in a letter to the Houston Board. The complaint was referred to Joe Reynolds, the board's attorney. Justice department lawyers Owen Fiss and Thomas Top said 24 Houston school bus routes transport Negro children to predominantly Negro schools, when predominantly white schools are available closer to where the pupils live. Some of the routes have been discontinued since the federal investigators made up the list, Houston officials said. All local school buses, except those maintained by the state, are being discontinued by Houston ISD.

The system had during the 1967-68 school year 45 predominantly Negro schools without any white faculty members; 23 others had some faculty desegregation, usually one or two white teachers, according to the federal report.

Attorney Reynolds said he will ask for an extension of the June 1 deadline for the Houston board to say what it intends to do about these complaints of inadequate integration.

* * *

In Dallas, Dr. Marvin Berkeley was elected president of a revamped school board. Dr. Berkeley, personnel director for Texas Instruments, Inc., has been on the board one year. He was a candidate endorsed by the League for Educational Advancement in Dallas (LEAD), which elected a majority of the board pledged to more liberal policies than its conservative predecessors.

* * *

Health, Education and Welfare investigators told Kilgore ISD it must abolish the East Texas community's dual system by 1969. The district reportedly has one all-Negro elementary school and one all-Negro junior-senior high. In the latest school year, 18 per cent of Kilgore's 926 Negro scholastics attended class with white pupils. Gilmer also received notice to complete desegregation by next year.

* * *

Texas-2
May, 1968

Several Texas school systems were affected by the U.S. Supreme Court's latest ruling on free-choice desegregation plans. Included is Austin, which started desegregation in 1954, and established all-grade desegregation on the free-choice plan several years ago. Austin school officials were uncertain how they will attempt to comply with the court's latest ruling.

* * *

At Goose Creek, near Houston, Negro patrons objected to plans for changing the name of a school building from George Washington Carver to Anson Jones, part of a desegregation move. Anson Jones was a Texas pioneer. The building had been used by Negro elementary pupils only, but white pupils from another building, previously named "Anson Jones" were moved into it. The former "Anson Jones" building was converted to other purposes by the school board.

* * *

At Fort Worth, Supt. Julius Truelson said individual history teachers will determine how much time they devote to material on the achievements of Negroes. The Fort Worth Community Council requested that more data on Negro history be included in public school courses.

Dr. Truelson said Fort Worth schools had been preparing supplemental material on the subject for more than a year, but the use of it will depend on each teacher. "It is important that our Negro children take pride in their heritage," the superintendent said. "Negroes have made important contributions to our history." Dr. Truelson said that increasing attention to history of Negroes would necessarily decrease the amount of time to be devoted to other aspects of history.

* * *

In The Colleges

Dr. Henry A. Bullock, professor of sociology at Texas Southern University, was appointed by the University of Texas to teach a new course in "The Negro in America." A Negro, Dr. Bullock will be a visiting professor at the 1969 spring semester. He is the author of a prize-winning book: "A History of Negro Education in the South."

Texas-3
May, 1968

Dr. Robert Divine, chairman of the history department, said the course will be offered on a regular basis, and that visiting professors will be employed until a permanent appointment is made. He added that the department had considered offering the course for the past two years, but lacked a qualified instructor.

The University of Texas next fall will offer a symposium on "The Negro in America," using visiting lecturers, historians and civil rights leaders.

Meanwhile, three members of the psychology faculty contended that small enrollment of Negroes at the University of Texas was the result of discrimination in housing. All university-owned dormitories are open to students of all races, and so is much of the privately owned housing. The professors said Negroes claim "this is not a very pleasant place to be." They estimated about one per cent of the 30,000 students at the university last year were Negroes. Negro enrollment has been rising fastest in Texas junior colleges.

* * *

A city ordinance to require that all houses and apartments be rented and sold without regard to race was adopted by the Austin City Council 3 to 2 after a long period of controversy. The council majority declined to submit the proposition to a referendum. As a result, Austin realtors and others within a week obtained 25,124 signatures on petitions to require a referendum. This is three times the number of signatures needed, and the balloting will be held later.

The three city council members supporting the ordinance reported they had received threatening letters, which were turned over to the Federal Bureau of Investigation, and state police. One councilman had a window broken in his home by a thrown rock.

One of the University of Texas's most militant black power advocates, Lawrence Caroline of the Philosophy Department faculty, will be terminated when his current contract expires in one more year. The action was taken on recommendation of the university administration, based on a recommendation from the departmental budget council. It cited reasons other than Caroline's protest activities.

Caroline, white, has been active in demonstrations around Austin, including one against Vice President Hubert Humphrey last year. He came here from New York on a two-year contract.

* * *

Texas-4
May, 1968

At the 1968 commencement ceremony for the University of Texas, Gov. John Connally spoke out against "a philosophy of anarchy" in the land. "...In a complex society and world there cannot be absolute freedom without certain anarchy," he said. "We live in a land of relative freedom and opportunity."

Frank C. Erwin Jr., Austin attorney and chairman of the University of Texas Board of Regents, urged its students and faculty to oppose "irresponsible conduct" such as occurred at Berkeley and Columbia University. "The right of verbal dissent should not be curbed in any way," Erwin said, terming as "unadulterated illegal action" the seizing of buildings, ransacking offices and holding hostages.

* * *

Political Action

Preston Smith, lieutenant governor, won the Democratic nomination for governor over Don Yarborough, Houston attorney, by 758,654 votes to 621,087. Smith, a conservative, trailed Yarborough in the first primary but was endorsed in the runoff by four defeated candidates. Racial minorities and union labor supported Yarborough.

The Houston Informer, a newspaper for Negroes, charged Smith with bigotry for advocating stronger anti-riot laws during the campaign. Negro boxes voted very heavily for Yarborough (no kin to Sen. Ralph Yarborough). It was Don Yarborough's fourth defeat in a statewide race, three times for governor.

Smith has been in state office 18 years as a legislator and lieutenant governor. His opponent in November will be Republican Paul Eggers, a Wichita Falls lawyer making his first political race. Republicans have been doing well in special legislative races in recent months, winning more than half of the vacant seats. But Eggers will be a distinct underdog in the contest with Smith.

The recommended anti-violence laws, from Lt. Gov. Smith, Atty. Gen. Crawford Martin, and Speaker Ben Barnes, will be considered at a special session of the legislature, which started June 4, if budget and tax priorities can be finished in 30 days.

* * *

The Port Arthur school board elected a Negro member to be its president. The other members are white. Wichita Falls elected a Negro to the City Council for the first time.

* * *

Texas-5
May, 1968

Miscellaneous

Dr. Lawrence W. Bottoms of Atlanta, a Negro Presbyterian minister, said in Pasadena, Texas, that both his race and whites need to take a Christian approach to problem-solving. "Too much emphasis has been placed on segregation, or the lack of it," Dr. Bottoms said. "The racial problem is not the real problem. The real problem is Christians are not living as example of Christian love."

* * *

Controversy raged over a resolution adopted by the United Conference of the Methodist Church at Dallas expressing a "right of dissent" and disobedience to law when it becomes a matter of conscience. Several congregations denounced the resolution, as did many individuals in the church.

* * *

Other miscellany in Texas during May, 1968:

* Houston Mayor Louie Welch and the NAACP jointly announced that a committee will be appointed there to improve police-community relations. Increased participation by Negroes in civic affairs is one goal.

* Dr. Kenneth Pitzer, president of Rice University, told graduates at St. Thomas University in Houston that "frustrated" student-faculty "extremists" are becoming a problem in higher education. He said the right of protest has been extended to "the level of kidnap and blackmail," which "unfortunately" has support from some academic people and students who are not actually "hard core extremists."

* At Huntsville, civil rights leader Booker T. Bonner (of Houston and Austin) was assessed a \$100 fine for holding a march without a permit, as required by city ordinance. A city judge fixed the penalty. Bonner is appealing the decision to a federal court in Houston.

* Leon Jaworski, former president of the American College of Trial Lawyers, said poverty and discrimination must be opposed. But he condemned those who use "looting and malicious burning" as a means of getting their way.

#

VIRGINIA HIGHLIGHTS

HEW's Office for Civil Rights plans to investigate school desegregation in Nottoway County. Little change is seen in the pupil desegregation of Henrico County's public schools for the coming school session.

The story of the closing of Prince Edward County's public schools to avoid court-ordered desegregation is omitted from accounts in state history textbooks.

The University of Virginia denied rumors of racial discrimination in employment practices there.

A group of Southern leaders agreed on steps to improve higher educational opportunities for Negroes in meeting at Richmond.

The U.S. Supreme Court held in the cases of New Kent County, Va., and two other Southern localities that school boards have an "affirmative duty" to abolish dual systems and establish "unitary" school systems.

Citing a federal court decision, HEW says school boards must locate and construct schools in a way conducive to school desegregation.

#

Virginia-1
May, 1968

VIRGINIA

Schoolmen

The Gloucester County school board adopted a geographic zoning school desegregation plan and authorized its lawyers to present the plan to a federal District Court judge for approval. Gloucester has used a freedom-of-choice desegregation system. The new plan divides the county into three sections, each to be served by one of the school system's three schools.

The freedom-of-choice plan was rendered unworkable when large numbers of Negro students chose to attend predominantly white schools in September, according to school board members. They said it would take costly construction programs to accommodate students in present facilities under the choice plan.

* * *

The Northumberland County School Board refused to abandon the freedom-of-choice system as had been requested a month ago in a petition of 500 persons. The petition had been circulated by the Parent-Teacher Association of Central High School, an all-Negro facility.

School Superintendent Thomas W. Stafford Jr. said the public school facilities in the county "can accommodate" the 2,267 pupils in accordance with their choices under the attendance plan. Stafford had been asked to study the situation in view of requests by 463 Negro students to attend predominantly white schools next fall, in addition to the 60 who are already doing so.

Thomas C. Winstead, presenting the PTA petition, said the present school system is "not meeting the needs of the students" as a unitary system would. "It is time to sit down, air our differences and work for the education of our children," he said.

A. P. Zuger, school board member, replied that complete desegregation could not be achieved by September. "We would be in complete chaos," he said.

* * *

A team from the U.S. Department of Health, Education and Welfare (HEW) plans to investigate progress in school desegregation in Nottoway County, a Southside locality adjoining Prince Edward County, where authorities closed public schools five years to avoid court-ordered desegregation. School Superintendent H. L. Blanton said the three-day HEW visit followed a February notification that the school division has not made sufficient progress in eliminating a dual school system.

Virginia-2
May, 1968

Blanton said he would instruct school personnel to co-operate with the team. "I want the team to get a true picture of our system," he said. The superintendent also told school board members that he does not expect a favorable report on the basis of comparing Nottoway's situation with that of other Southside counties, which had their federal assistance terminated. Blanton has advised board members in recent months that new school construction plans for the county should be prepared with the idea of ending the dual school system. But county voters recently turned down a proposed bond issue for such construction.

* * *

The Henrico County School Board received a report showing that during its 30-day freedom-of-choice registration period, 115 Negro students asked to be transferred to predominantly white schools next fall. Twenty Negro students in predominantly white schools asked to be shifted back to Negro schools.

The effect of the registration will be to add 95 Negroes to the approximately 1,000 already enrolled in predominantly white schools. "What it boils down to," W. Nelson Taylor, administrative assistant to the school superintendent, said, "is there are no startling changes."

The Region III office of the U.S. Department of Health, Education and Welfare (HEW) has found Henrico to be moving too slowly toward elimination of the dual school system, and has recommended that its federal assistance be terminated. Henrico is one of the suburban counties adjoining the City of Richmond.

* * *

The story of the closing of the Prince Edward County public school system to avoid court-ordered desegregation, and other aspects of Virginia's old "massive resistance" to school integration policies, are not mentioned in three books approved by the state for use in state-required Virginia history courses, according to an article by Associated Press writer Ken Ringle.

The books are "Cavalier Commonwealth," used in senior high school; "Virginia History, Geography and Government," used by the seventh grade; and "Virginia's History," a text for the fourth grade.

In only one paragraph of the senior high school book is the issue of segregated schools in the last half of the 20th Century mentioned, according to the story. The paragraph states that after the 1954 U.S. Supreme Court decision outlawing school segregation:

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May, 1968

"Gov. Thomas B. Stanley appointed a 32-member legislative commission...to study how this decision affected Virginia's system of public education. In accordance with one of the commission's recommendations, a special session of the General Assembly proposed a public referendum to authorize a change in the state constitution to make it possible for the state to pay tuition at private schools...." "Cavalier Commonwealth" was last revised in 1963 and is scheduled for another revision in 1970.

* * *

In The Colleges

A special survey on the university's employment practices, prepared and released by the University of Virginia, show that of a total of 5,594 full-time and part-time employees, 1,104 are Negroes. Paul Saunier Jr., director of university relations, said he hoped the figures will illustrate that rumors of discrimination at the university "are proving to be unfounded, and that those with any basis at all are being acted upon."

The report also showed that the six university divisions hiring the bulk of "service workers" employ 426 Negro and 260 white persons in full-time positions with retirement rights and other fringe benefits. A total of 206 Negroes and 314 whites are in full-time hourly rate positions without such benefits, the figures indicate.

The report was developed in response to Charlottesville-Albemarle County Human Relations Council reports of rumors that Negro service workers were being given an inordinate portion of jobs without retirement rights. Saunier, who also serves as co-ordinator of university programs on nondiscrimination in both employment and enrollment, said the figures show no discriminatory pattern against Negroes. "But it should not be concluded that the pattern is discriminatory against whites either. The university is operating on a nondiscriminatory basis."

* * *

Students at predominantly Negro Virginia Union University in Richmond took a softer approach to their problems with college officials in a march from the campus to downtown Richmond May 5, and said they hoped college students across the nation would follow their lead. About one month after some students at Virginia Union seized the administration building and three classroom buildings for several days, the spokesmen called for re-establishment of communications links and direct meetings between students and administrative officials.

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May, 1968

This "new attitude" was expressed before 600 to 800 persons participating in a rally at downtown Monroe Park, after about 250 students had marched there from the university campus, about a mile away. The students said they hoped Dr. Thomas H. Henderson, VU's president, and the board of trustees would realize "that we are here today to try to change the image."

"Taking over the administration buildings will not solve our problems," said Frank Doggett, a senior and student leader. "We must show the world that students can meet and co-operate and work with officials to solve problems," he said. "This is a peaceful nonviolent meeting to show our new approach to the problem." He continued: "We have problems, but we want to solve them."

* * *

A blue-ribbon group of Southern leaders agreed during two days of informal conferences in Richmond on major directions to take in attempting to bring Negroes into the mainstream of higher educational opportunity. A policy committee held the conferences to provide guidance and director for the new Regional Institute for Higher Education Opportunity, which is being established in Atlanta under the Southern Regional Education Board (SREB).

In closed meetings presided over by Dr. William Friday, president of the University of North Carolina, a large portion of discussion centered on how to get Negro students more interested in low-tuition community colleges being set up in most states, the Richmond Times-Dispatch learned. Leaders in education, government and business were in attendance.

The group agreed that the institute should finance four or five pilot projects a year throughout the South to help community college systems provide more services for Negro students and to foster enthusiasm for the two-year colleges in the Negro communities. Three other major points had the concurrence of the 12-member policy commission:

- 1) Moves must be made rapidly to modify the curriculums of traditionally Negro colleges so that students at those colleges will be adequately prepared for their new job opportunities.

- 2) Outside financial support for the basic operating costs of Negro colleges--both private and public institutions--will be necessary, and extensive documentation is needed to spell out the fiscal problems of these colleges.

Virginia-5
May, 1968

3) Each Southern state should make a "role and scope" study of each college within its boundaries--including white and Negro, public and private colleges--to decide what academic needs can be met by each institution. Recommendations would then be made. Thus, in the long run, students of both races might attend college because of the program it offers, without regard for its racial history.

The institute is being established to help implement a report made last August by SREB's Commission on Higher Educational Opportunity in the South, which offered some 40 recommendations for improving Negro higher education in the region.

Members of the policy group invited to the meeting in Richmond were Brunswick A. Bagdon, regional director in Atlanta of the Bureau of Labor Statistics, U.S. Department of Labor; H. H. Dewar, a San Antonio investment banker; Gov. Buford Ellington of Tennessee; T. R. May, executive director of the Lockheed Georgia of Marietta, Ga.; Samuel M. Nabrit of the Southern Fellowship Fund of Atlanta; Benjamin F. Payton, president of Benedict College of Columbia, S.C.; Mrs. Winthrop Rockefeller of Little Rock; Asa T. Spaulding, retired insurance executive of Durham; Edward A. Wayne, retired president of the Federal Reserve Bank of Richmond; and three ex officio members--Gov. Robert E. McNair of South Carolina, President Friday, and Dr. Mitchel B. Denham, a Kentucky higher education official. Mrs. Rockefeller and the two governors were unable to attend the Richmond meeting.

* * *

Legal Action

The U.S. Supreme Court held in a May 27 decision that its 1954-55 desegregation decisions did put an "affirmative duty" on school boards to abolish dual school systems and establish "unitary" ones. The decision was rendered in an unanimous decision disapproving the freedom-of-choice plan of New Kent County, Va., and zoning and construction programs respectively in Jackson, Tenn., and Gould, Ark.

Some persons had read the historic 1954 decision and its implementing degree of 1955 to be merely negative in that it barred enforced segregation, but did not require integration. But the U.S. Department of Health, Education and Welfare (HEW) had been saying in its guidelines for school desegregation essentially what the Supreme Court said in the May 27 decision.

"Apparently we've gone full circle," Frederick T. Gray of Chesterfield County, counsel for the New Kent School Board, commented. "Cases that started out to obtain the right to attend the school of one's choice have now resulted in a decision which in some instances will preclude freedom of choice."

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May, 1968

The court emphasized that "we do not hold that a freedom-of-choice plan of itself might be unconstitutional...Rather, all we decide today is that in desegregating a dual system a plan utilizing freedom-of-choice is not an end in itself."

But the opinion on New Kent said, "school boards such as the respondent (which were) operating state-compelled dual systems" at the time of the 1954 decree were "clearly charged with the affirmative duty to take whatever steps might be necessary to convert to a unitary system...."

Harry R. Elmore, deputy state superintendent of public instruction, estimated that up to 90 per cent of Virginia's school systems operate on free-choice plans. He described the effect of the decision as "backing up" the HEW guidelines.

* * *

Citing the decision of a federal court, the U.S. Department of Health, Education and Welfare (HEW) has said that public school officials must locate and construct new schools in a way that will contribute to elimination of segregation. A memorandum from HEW's Office for Civil Rights to Dr. Woodrow W. Wilkerson, Virginia's superintendent of public instruction spelled out the policy recently. A copy was passed along by the State Department of Education to state school superintendents.

On the basis of the court decision, the memo said, it is "clear" that "school systems which have operated dual structures based upon race have a positive obligation to see that school construction is deliberately used to eliminate the separate school system."

HEW cited the April 18 decision of the Fifth Circuit Court of Appeals in New Orleans, which upheld the part of HEW's guidelines for compliance with the 1964 Civil Rights Act that dealt with physical facilities. The pertinent section of the 1968-69 school session's guidelines states:

"To the extent consistent with their proper operation as a whole, school systems are also responsible for locating and designing new schools, expanding existing facilities, and operation of the school system as a whole to seek means to eradicate the vestiges of the dual system."

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May, 1968

Mrs. Ruby G. Martin, director of HEW's Office for Civil Rights, pointed to the "positive obligation" the court's decision affirming the guidelines place on school officials to build schools that will draw from a racially mixed group. She said: "This office will be carefully considering this factor in determining the compliance status of individual school systems in your state. In addition, school construction plans for individual school districts will be carefully reviewed before any district is accepted into full and complete compliance status."

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WEST VIRGINIA HIGHLIGHTS

The state president of the NAACP renewed demands that results of an investigation of racial tension at Bluefield State College be made public.

A new survey indicates that the median educational level of West Virginians is rising.

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West Virginia-1
May, 1968

WEST VIRGINIA

In The Colleges

The state president of the NAACP repeated what has become an almost monthly request to Gov. Hulett C. Smith: Release the West Virginia Human Rights Commission report on racial problems at Bluefield State College. Herbert H. Henderson of Huntington, wrote Smith, "The NAACP wonders what leads you to risk your own reputation for fair play and integrity in the field of human rights by this suppression..."

"Can it be that your administration and the 'statehouse gang' are committed to behind-the-scene support of Atty. Gen. Robertson and his campaign for governor and that any revelations in the 'Bluefield Report' by its release through you will hurt his chance for votes in southern West Virginia?"

The report was given Smith last winter. The Human Rights Commission has asked Smith to release the full text of the report but he has declined. State and local NAACP chapters have repeated the request but Smith has said "no good purpose would be served" by making contents of the report public.

There were two related developments in May. In the first, Atty. Gen. C. Donald Robertson was defeated in his effort to win the Democratic gubernatorial nomination. Robertson's defense of the administration at Bluefield State cost him support among Negroes. Henderson said Robertson's nomination "would put the Democratic party back to the horse-and-buggy days in human rights progress...."

The winner of the primary election May 14 was James M. Sprouse, who was supported by the state AFL-CIO. Sprouse is regarded as a civil rights liberal.

The second development involving Bluefield State was the refusal of Federal Judge Sidney Christie to grant new trials to eight students who were suspended last fall after taking part in a demonstration against the college president. Lawyers for the students had appealed their suspension to Judge Christie's court. He ruled in favor of disciplinary action taken by college officials.

* * *

Under Survey

President Richard Payne of the Charleston chapter of the NAACP said that 156 of Kanawha County's 2,453 public school teachers are Negroes. Payne said there are six Negroes among an administrative staff of 176. "I have to be honest with myself and you," he added. "Negroes just don't apply for the positions." He said failure by Negroes to make application for available promotions is one of the chapter's biggest problems in dealing with the school board.

Payne also said the survey showed that 1,062--3.9 per cent-- of West Virginia's 26,733 employees are Negroes and that 70 per cent of the minority are paid \$350 or less a month. He said only 298 Negroes earn \$400 or more a month, an income figure equalled or surpassed by 15,617 white workers.

* * *

More West Virginia children than ever before are staying in school until graduation day. A survey by the West Virginia Education Association showed that the number of high school graduates in 1967 was 40.2 per cent higher in the state than in 1957. During the same 10-year period, total enrollment decreased by 10.6 per cent, a reflection of the state's continuing loss of population.

In 1960, the average educational level of West Virginians was 8.8 years, an increase of less than one half of a per cent over the 1950 figure. The WVEA predicted that the median educational level will show a substantial increase when the 1970 census is taken.

* * *

Community Action

Residents of Charleston have complained about the placement of 250 units of rent supplement housing in their neighborhood. The housing program is being sponsored by St. Paul's African Methodist Episcopal Church.

People living in the ward, which has tentatively been selected as a site, have protested to the county board of education, saying that addition of the rental units will overcrowd an elementary school serving the area.

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WASHINGTON HIGHLIGHTS

In a unanimous decision, the Supreme Court held that freedom-of-choice plans are inadequate means of compliance with its school desegregation rulings where they do not operate to abolish dual school systems.

The Department of Health, Education and Welfare reported that about 14 per cent of the Negro students in public schools of the 11 Southern states are attending desegregated schools.

The Department of Justice filed suit against the public school system of Indianapolis, Ind., charging racial discrimination in student and faculty assignment and in the construction of new schools.

The D.C. Board of Education approved new boundary zones for secondary schools designed to equalize enrollments and promote racial and socio-economic balance.

Julius W. Hobson, principal plaintiff in the Hobson v. Hansen school discrimination suit, announced formation of a nonprofit institute intended to improve education in Washington through further court action and "watchdog" activities.

A special committee of school officials and Board of Education members received proposals for an annual school holiday in memory of Dr. Martin Luther King Jr.

The School Board overruled Supt. William R. Manning by approving distribution in the schools of literature of the Southern Christian Leadership Conference.

Three Board members were reappointed to serve until next Jan 27, when the city's first elected school board is to take office.

#

Washington-1
May, 1968

WASHINGTON

National Affairs

The Supreme Court ruled unanimously May 27 that Southern school systems cannot satisfy the constitutional obligation to desegregate merely by offering students freedom of choice in the schools they attend.

"Delays are no longer tolerable," the Supreme Court declared in deciding three cases that constituted its first detailed review of the adequacy of measures being taken to implement its landmark school desegregation decision of 1954.

The three cases were appeals brought to the high court by Negro parents in New Kent County, Va., Gould, Ark., and Jackson, Tenn. (No. 695, Green v. County School Board of New Kent County; No. 805, Raney v. Board of Education of the Gould School District; No. 740, Monroe v. Board of Commissioners of the City of Jackson.)

The Negro parents and the NAACP Legal Defense and Educational Fund charged that free-choice plans in the three districts had the effect of perpetuating all-Negro schools and thwarting the Supreme Court's desegregation decree. The court's opinion, by Associate Justice William J. Brennan Jr., rejected in each case the claim of school authorities that the appellants were seeking "compulsory integration." He said local boards had an "affirmative duty" to see to it that in systems formerly segregated by law, "racial discrimination would be eliminated root and branch."

"We do not hold that 'freedom of choice' can have no place in such a plan," Brennan wrote. He also rejected the justice department's contention that the plans were unconstitutional because they were calculated to perpetuate segregation. "All we decide today," the opinion declared, "is that in desegregating a dual system a plan utilizing 'freedom of choice' is not an end in itself." School boards have an obligation, the court found, "to come forward with a plan that promises realistically to work, and promises realistically to work now." The word "now" was italicized for emphasis in the opinion.

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May, 1968

In each of the cases, a U.S. Court of Appeals had upheld the adequacy of the freedom-of-choice plan. However, the Fifth Circuit Court of Appeals (New Orleans), which has jurisdiction over most of the Deep South states, had held that such plans are not adequate unless they serve to break down the dual system that previously existed with legal sanction. The effect of the Supreme Court's ruling was to apply the Fifth Circuit Court's standard to the appeals courts for the Fourth, Sixth and Eighth Circuits, sitting respectively in Richmond, Va., Cincinnati and St. Louis.

Jack Greenberg, director-counsel for the NAACP fund who had argued the Arkansas case before the Supreme Court, announced in New York that the fund would immediately reopen many of the 200 school desegregation cases that it brought in the South. He said the ruling "will be extremely useful in stepping up the pace of desegregation."

* * *

About 14 per cent of the Negro elementary and secondary students in the 11 Southern states attended desegregated schools during the 1967-68 school year, the Department of Health, Education and Welfare reported May 27. The percentage pointed to a slowdown from the previous pace of desegregation, but direct comparisons could not be made because of changes in the accounting method.

Before last fall, the reported percentage of desegregation had about doubled in each of the three years since enforcement of the Civil Rights Act of 1964 began. The official figures were 3.2 per cent in 1964-65, 6.5 per cent in 1965-66, and 12.5 per cent in 1966-67. HEW's definition of a "desegregated school" this year was one that had at least 50 per cent white students. In the earlier surveys, schools were considered desegregated if as many as five per cent of the students were white. Furthermore, smaller school districts that had previously been included in the annual tabulations were not surveyed this year.

Officials indicated privately that they were disappointed with the new figures. Some had been reporting that 18 per cent or more of the Negro students in the Deep South were in desegregated schools. "It's a pretty grim picture," one source said.

The HEW survey showed the desegregation rate in voluntarily desegregated districts was nearly double that of districts operating under federal court orders. The percentage of Negroes attending desegregated schools in voluntary districts was 18.9, compared with 9.5 per cent in court-order districts. The survey covered 84 per cent of the region's 11.5 million public school students and 91 per cent of the 2.9 million Negro students in the region.

Washington-3
May, 1968

States showing the lowest percentages of Negroes in desegregated schools were Mississippi, 3.9; Alabama, 5.4; South Carolina, 6.4; Louisiana, 6.7; and Georgia, 9.5. The states with the highest percentages were Texas, 26.1; Virginia, 20.4; Tennessee, 18.4; Florida, 18; Arkansas, 16.8; and North Carolina, 16.

* * *

The justice department filed suit against the Indianapolis, Ind., school system May 29, charging racial discrimination in student and faculty assignment and in the construction of new schools. The suit was the second federal action filed against a Northern school district. The first, filed April 25 against a suburban Cook County, Ill., district south of Chicago, charged faculty and staff discrimination. It was amended by the justice department May 27 to add the charge that elementary school boundary lines and facilities had been allocated so as to "promote and preserve segregation."

The Indianapolis suit was directed at a school system of 108,000 students and more than 4,700 teachers. About one-third of the students and one-fourth of the teachers are Negroes. The city operated a segregated school system from shortly after World War I until 1949, when the Indiana legislature outlawed segregation.

The justice department's brief singled out Crispus Attucks High School, built in 1927, as "a racially segregated school... attended solely by Negro students and staffed almost entirely by Negro teachers." The brief contended that racial discrimination had been practiced in "assigning students, designing attendance zones for elementary schools, establishing feeder patterns to secondary schools and constructing new schools." It said 16 of the elementary and junior high schools have predominantly or all-Negro student bodies and faculties, and 68 are predominantly white.

"As a general practice," the suit charged, teachers have been assigned to schools attended by students of their own race. Attorney General Ramsey Clark, who filed the suit, said he had received a written complaint from a parent of Negro students "alleging that said children are being deprived of...equal protection of the laws." Clark asked the U.S. District Court for the Southern District of Indiana to order Indianapolis school officials to adopt and implement a plan to end the discriminatory practices alleged in the brief.

* * *

Washington-4
May, 1968

District Affairs

The D.C. Board of Education approved new attendance zones for Washington junior and senior high schools May 7 in accord with proposals submitted after a three-month study by a 35-member citizens' committee. The boundary revisions, spurred by last year's decree of Federal Judge J. Skelly Wright in the Hobson v. Hansen school discrimination suit, were intended to equalize enrollments in accord with school capacity while promoting racial and socio-economic balance in the secondary schools.

Six board members voted in favor of the boundary changes, two abstained and one member was absent. Under the plan approved by the board, next fall's ninth and 12th grade students will be permitted to remain in the schools they attended in the 1967-68 school year. About 10,300 students--including 3,300 in senior high schools and 7,000 in junior high schools--will be shifted to new attendance zones.

School Supt. William R. Manning said the school system would equalize course offerings so that none of the transferred students will be deprived of courses in which they had planned to enroll.

* * *

Julius W. Hobson, principal plaintiff in the Hobson v. Hansen school desegregation suit, joined with six supporters early in May to incorporate a nonprofit corporation aimed at improving public education in Washington through further court action and "watchdog" activities. The Washington Institute for Quality Education is seeking about \$85,000 from private foundations and church organizations for its first year of activities, Hobson announced May 26. The purpose of the Institute, according to its bylaws, is to "support litigation and educational studies designed to secure the... constitutional rights to the children of public school age in the District."

In the proposed 1968-69 budget, the Institute allots \$25,000 for legal fees. Hobson said this would include further activities in the Hobson v. Hansen case. The organization plans a "school surveillance project" to monitor implementation of Judge Wright's decree. Such surveillance "is necessary to assure poor children--black and white--the quality of education heretofore denied to them," an Institute prospectus said.

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May, 1968

A second project outlined in the prospectus would be appointment of a "community review board" composed of representatives of business, labor, parents, government and churches to prepare an annual report on "the degree to which graduating students can meet the acceptable and minimum standards enabling them to function in our society." The Institute also proposed to establish a clearing house for information on urban education programs, to be distributed to the public.

In addition to Hobson, trustees for the Institute are Aina C. Lower, a Civil Service Commission specialist on equal employment opportunity; Warren W. Morse of the American Federation of State, County and Municipal Employees; P. Bertrand Phillips, dean of student affairs at Tuskegee Institute; the Rev. Henri A. Stines, rector of the Episcopal Church of the Atonement; James A. Washington Jr., provessor of law at Howard University; and the Rev. William A. Wendt, rector of St. Stephen and the Incarnation Church.

* * *

An annual school holiday to honor the memory of the Rev. Dr. Martin Luther King Jr. was recommended May 23 to a special committee of District school officials and Board of Education members. The holiday, coupled with a special memorial program in the schools, was suggested by several committee members and spokesmen for citizens' groups. Washington Teachers Union President William H. Simons, who said the commemoration should be held on the annual anniversary of Dr. King's assassination, said his death "symbolized the struggle of the man to fulfill his goals for the Nation."

Other proposals submitted to the committee including naming schools, textbooks or curriculum materials after Dr. King; establishing a memorial library; and establishing scholarships for deserving students. Board member Benjamin H. Alexander, chairman of the committee, said the board would ask the community to contribute "dimes and dollars for freedom" to finance an appropriate memorial to Dr. King.

* * *

The Board of Education overruled School Supt. Manning May 1 by agreeing to allow the Southern Christian Leadership Conference to distribute literature in the schools in an attempt to obtain housing for members of the SCLC Poor People's Campaign. The board's 4-to-1 vote represented a break with traditional school policy to bar distribution of materials not related to school activities. Manning cited this policy in recommending against approval of the SCIC request, but board member John A. Sessions, who voted with the majority, said "the Poor People's Campaign is likely to be the most educational event to happen in D.C. this year."

* * *

Washington-6
May, 1968

Three members of the District Board of Education whose terms were to expire in June were routinely reappointed May 7 by Judges of the Federal District Court for the District of Columbia. The three members--the Rev. Everett A. Hewlett, president of the Board, Dr. Euphemia Haynes and Carl C. Smuck--will serve only until next Jan. 27, when the city's first elected school board is to take office.

The federal judges, who have selected school board members for more than 60 years, made their last round of appointments six weeks earlier than usual, presumably to assure the stability of the lame-duck board. Legislation to permit election of the board was enacted in April.

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